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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. TIPTON).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 22, 2015.

I hereby appoint the Honorable SCOTT R. TIPTON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

IRAN AGREEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, it was interesting to listen to some of the congressional reactions after the United Nations Security Council on Monday unanimously approved a resolution that creates a basis for international economic sanctions against Iran to be lifted.

This was a 15–0 vote for the 104-page resolution that lays out the steps required for lifting the United Nations sanctions. Importantly, it sets up a way to renew sanctions if Iran does not abide by its commitments.

If we get into a dispute over Iran's enrichment activities, these sanctions automatically snap back after 30 days; and the United States, as a member of the Security Council, could veto any effort to change that. The United States controls the snap back.

Congress should not be annoyed but, instead, should understand and appreciate the unanimous support from the major countries that helped secure the agreement and enforce sanctions in the first place.

The United States did not bring Iran to the negotiating table by itself. We have been sanctioning Iran for years with far more stringent and stronger economic body blows, but they didn't bite until we were joined by other powerful countries.

It required Japan and India not to buy Iranian oil and the unanimous support of the U.N. Security Council, plus Germany, the so-called P5+1, to hammer this out.

This is vital information for Congress to evaluate. Were we to walk away from this historic international agreement that has the participation of all the other major powers and the consumers of Iranian oil, we would be on our own.

If we repudiate this hard-fought, carefully crafted diplomatic solution, we will be in an infinitely weaker position, Iran free to go about its business, and the support of those other countries that was so vital will melt away.

There is a reason why 100 distinguished former administration officials, diplomats, and military officials from all across the political spectrum with backgrounds in Democratic and Republican administrations alike endorsed the proposal this week.

This is the best solution in a difficult part of the world with a country that has been difficult to work with, to say the least, that has been involved with bad behavior and which has been bent on developing the capacity to create a nuclear weapon. We all want to prevent that or at least delay it as long as possible.

This agreement achieves that additional time, 10 years or more. It has strong, enforceable sanctions in the event of failure; and the inspections regime, the controls over the Iranian nuclear power program continue for 10 years or more. Some are permanent.

This is a watershed moment in American diplomacy, an opportunity to get past the troubled history for decades on a more positive footing. Iran, to this point, has lived up to its agreements; and we have watched their nuclear activity being dialed back and openness expanded, which would have been unthinkable 3 years ago.

Last and most important to consider, the opponents of this agreement have no good alternative. They may huff and puff about all options being on the table; but realistically, the American public has little appetite for a war with Iran, a country bigger than Afghanistan and Iraq combined, with a population more than twice as large, well-educated and sophisticated.

An attack would bring about unthinkable circumstances, even if the American public were likely to accept it, which is highly unlikely; and, of course, the United States will have squandered the alliance with the world's most powerful countries. They are aligned with us today, but it would be difficult, if not impossible, to get them back on our side again if we can't take yes for an answer.

Congress should stop hyperventilating, look at the evidence, and we should move forward to support diplomacy as our best chance to prevent a nuclear-armed Iran and chaos in the Middle East.

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ARREST STATISTICS REPORTING ACT OF 2015

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, America's policymakers face an information gap that undermines our ability to make the immigration policy decisions needed to protect American lives from the threat posed by illegal aliens.

What information gap? It is crime statistics that reflect criminal conduct by illegal aliens.

The horrifying murder of 32-year-old Kate Steinle in San Francisco has, once again, put crime by illegal aliens in the national spotlight; but this issue should always be in the spotlight because it daily affects American citizens across the country, despite pro-amnesty forces' best efforts to suppress politically inconvenient truths about illegal alien crime in America.

The fact is America's crime data for illegal aliens is inadequate. While we have access to Federal sentencing data for illegal aliens, illegal aliens crime data for cities, counties, and States is just not there. For example, while illegal aliens are roughly 3.5 percent of America's population, the United States Sentencing Commission data reflects that, out of 74,911 Federal sentencing cases, illegal aliens committed 17 percent of drug trafficking, 20 percent of kidnapping/hostage taking, 12 percent of money laundering, 12 percent of murders, and a whopping 74 percent of drug possession felonies.

If this Federal data is any indicator, illegal aliens are far more likely to commit violent and dangerous crimes than the average American or lawful immigrant. The absence of State and local law enforcement data is critical because most heinous crimes—such as murder, rape, violent assaults, and the like—are prosecuted at the State level.

As of today, the Federal Government does not publicly report State and local illegal alien crime data, thus undermining our understanding of how bad the illegal alien crime problem is and what we must do to address it.

A report released this past Monday, July 20, by the Center for Immigration Studies found that, according to Census Bureau data, 2.5 million illegal aliens, at the rate of 400,000 per year, have been added to America's illegal alien problem since President Obama took office. America's policymakers need empirical data showing how many Americans are horribly victimized by the millions of illegal aliens this and other administrations have allowed into our country.

While we have daily access to the endless stream of anecdotal, gruesome news reports of yet another illegal alien taking yet another American citizen's life, we need ''big picture'' data to rebut the liberal left's mantra that illegal aliens are as clean, innocent, and pure as freshly fallen snow.

For example, in my district, which has Redstone Arsenal, one of America's premier military facilities, more Americans have been killed by illegal aliens than my district has lost in Afghanistan, in Iraq, to the Islamic State, to al Qaeda, and to the Taliban combined.

Is Alabama's Fifth Congressional District's experience with illegal aliens an anomaly? Or is illegal alien crime as bad in the rest of America?

Mr. Speaker, in order to make good policy decisions, America's policymakers need better data. I have introduced a bill to help. My bill, the Arrest Statistics Reporting Act, does two things.

First, it requires that arrest reports already sent to the FBI by State and local governments include the best known immigration status of the arrestee. Second, it requires the Federal Government to publish illegal alien crime data in the FBI's annual crime statistics reports.

This data will better inform the public and lawmakers about illegal alien crime and empower us to make the decisions needed to protect American lives.

Mr. Speaker, honest immigration debate requires the best crime data. My bill, the Arrest Statistics Reporting Act, will help us obtain it.

VIOLENCE IN MEXICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SCHIFF) for 5 minutes.

Mr. SCHIFF. Mr. Speaker, earlier this month, Americans were riveted by news that infamous drug lord Joaquin Guzman, better known as El Chapo, had escaped from a maximum security prison in Mexico.

It took this spectacular movie-style breakout to return Mexico and its drug cartels to our national attention, and that is a problem.

When ruthless, barbaric criminals terrorize an innocent population halfway around the world, America notices. We rightly rise up as one to decry the horrific violence perpetrated by ISIL in Syria and Iraq, recoiling in horror at the news of rapes, beheadings, and savagery run amok; yet, when similar violence is visited upon an innocent population in our own backyard, why are we not similarly outraged?

Earlier this year, Aide Nava was beheaded by ruthless thugs not halfway around the world, but in the Mexican state of Guerrero, less than 1,000 miles from the U.S. border. Ms. Nava's death was not an isolated incident, nor was it random. She was a candidate for mayor of her town. Her husband had been mayor until last year, when he was assassinated.

A note found near her body warned of similar treatment for other politicians who did not fall in line and was signed ''Los Rojos,'' the name of one of Guerrero's largest criminal organizations.

If violence in the state of Guerrero sounds familiar, it should. In the town of Iguala in Guerrero, just last year, 43 students engaged in a peaceful protest were kidnapped, murdered, and cremated in a mass grave.

Those 43 are but a tiny fraction of the tens of thousands of Mexicans who have been murdered by Mexican drug cartels over the last decade, including at least four candidates and more than a dozen campaign workers during this year's midterm elections. Disturbingly, violence against women in particular has skyrocketed, and the rate at which women are murdered in Mexico is now double the global average.

Meanwhile, a cowed and corrupt leadership seems powerless to stop any of this and may even be actively abetting the violence.

We know that drug use in the United States has regrettably contributed to the conditions that have allowed this violence to spread. The money that fuels the drug cartels comes in large part from narcotics sales north of the Rio Grande.

Just as the drugs flow north, the guns flow south. I have addressed this Chamber in support of legislation countering the sale of guns through ''straw purchasers,'' which are then sent across the border.

This mutually destructive trade of guns and drugs cannot be allowed to continue unabated. More sensible treatment of drug addiction at home and more commonsense gun laws would not only help our own country, but also reduce chaos in the neighborhood.

The U.S. has done much to assist Mexico in countering cartel violence, primarily through the Merida Initiative, a counterdrug and anticrime assistance package.

Since 2008, we have provided Mexico with over $2.5 billion for the Merida Initiative, whose strategy focuses on disrupting criminal groups, institutionalizing the rule of law, creating a 21st century border, and building strong and resilient communities.

The reforms or money supports have been painfully slow in coming. It is still the case that only 25 percent of the crimes in Mexico are reported, fewer than 5 percent are investigated, and fewer than 2 percent ultimately move to trial and sentencing.

The problem in Mexico is not simply a lack of resources; it appears to be a lack of will. The active presence of corruption and official collusion squelches free speech, causing citizens to fear their elected officials, allowing the rule of law to fail.

□ 1015

Those 43 murdered students appear to have been killed with the knowledge and participation of the local police force on orders from Iguala's mayor and his wife. It is a dramatic story, but not unusual one, a story of corruption and impunity in officialdom.

Sadly, those who tell the story, including journalists, human rights activists, and even brave victims willing to speak out, too often meet fates similar to the students of Iguala.

Indeed, within the last months, three journalists have been murdered in three different Mexican states, joining the tragic toll of more than 50 Mexican journalists killed or disappeared since 2007.

I wish, Mr. Speaker, I stood before you today with a simple solution to these problems. I do not. But I do know that the struggle of the Mexican people for a peaceful, safe, and well-governed nation is our struggle as well. They must know that we are paying attention and that we recognize that Mexico's problems are also our own.

DODD-FRANK WALL STREET REFORM ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nevada (Mr. HARDY) for 5 minutes.

Mr. HARDY. Mr. Speaker, I rise today to discuss the unfortunate Dodd-Frank Wall Street Act.

This week marks the fifth anniversary of the signing of the law that was the Democratic answer to the recession that impacted our Nation.

My State, the State of Nevada, was devastated by the meltdown which started with the weakening of the credit standards, and it erupted into foreclosures that brought our fiscal system to the edge of the cliff.

At the peak of the recession, Nevada had an unemployment rate of 13.7 percent. Nevadans all over the State were losing their jobs, their homes, and their businesses.

The Democratically controlled Congress and the Democratically controlled White House responded with regulation after regulation on the false pretense that the crash was caused by the lack of rules.

Five years in and what do we have today? We have for the first time in over three decades more small businesses failing than being started. Think about that. We have more small business deaths than we have small business births.

The life blood of our Nation lies with small businesses. According to the 2012 data from the Small Business Administration, 64 percent of all private-sector jobs were created by small businesses. Half of all people employed in this country work for small businesses.

I am going to repeat we now have more small business deaths than we have small businesses being started. They are being suffocated by 400 new Federal regulations.

One-size-fits-all rules have impacted small bankers, so much that we have less community banks now than we had before Dodd-Frank.

These small community banks serve my constituents. They serve the neighbors of my district. They serve the neighborhoods of our country.

These community banks were not the banks making the risky loans. They were building strong relationships with their customers, but now, because of Dodd-Frank, there are fewer of them.

How did Dodd-Frank address Fannie Mae and Freddie Mac? It didn't. It didn't reform Fannie or Freddie. Dodd-Frank, in essence, is top-down governance from Washington bureaucrats.

Instead of ending too-big-to-fail, regulators inserted it into law. We now have SIFIs, systemically important financial institutions.

If a bank is defined as a SIFI, it will surely be the first to be bailed out because they are systemically too important.

This presents a problem of moral hazard. Dodd-Frank put it in law that they will be bailed out by Americans and their hard-earned money. Dodd-Frank was supposed to end this practice and it was supposed to protect the consumer.

After 5 years, we now have SIFIs. We now have fewer community banks. Simply put, our businesses are facing higher borrowing costs and the inability to create jobs.

Nevada today has an unemployment rate of 6.9 percent. Nevadans don't want more regulations, they want more jobs. Like all Americans, they want more opportunities. They want access to capital to start their new companies and businesses.

Mr. Speaker, unfortunately, the burdensome Dodd-Frank law is still churning out final rules. Americans will continue to face the red tape during this slog of a recovery.

ELEMENTARY AND SECONDARY EDUCATION ACT REAUTHORIZATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, last week, thanks to the leadership of the Senate HELP Committee, Chairman LAMAR ALEXANDER and Ranking Member PATTY MURRAY, the Senate passed a bipartisan bill known as the Every Child Achieves Act that would reauthorize the Elementary and Secondary Education Act. This is the law the Federal Government has with respect to kindergarten through twelfth grade education.

I applaud my Senate colleagues for reaching across the aisle and working collectively in good faith to expand access to early childhood education to improve programs for English language learners and to ensure accountability in serving our neediest students.

It is far from perfect. But in 2002, the reauthorization of the same act, known as No Child Left Behind, was implemented.

It gave this principle that we would look at the students who are falling through the cracks. It meant to serve our poor and minority students, students with disabilities, and English learners.

After all, let's not forget that the original ESEA, the original one in 1965, had an exact declaration of policy that said ''in recognition of the special education needs of children of low-income families.'' This landmark legislation in 1965 is a civil rights law.

It reaffirmed Brown v. Board of Education. It reaffirmed the 1947 Mendez v. Westminster decision, which happened in my own district, which was the precursor to Brown v. Board. It said every child has the right to an equal opportunity for a quality education.

Let's be honest. We are in the wake of a civil rights movement in this country. When we see tragedies in Ferguson, to Charleston, to presidential candidates issuing condemnations to immigrant families who come and who contribute to this country, to milestone victories where we see all individuals throughout the States may choose to marry the ones that they love, we can no longer ignore the social and the economic issues our great Nation is currently facing.

It all starts in our classrooms, in the quality of the education and the fundamental values that we impart to our children.

That is why I am also extremely disappointed in the House version of the ESEA where it limits the opportunity for our neediest students.

The Student Success Act—this is the one that the Republicans are putting forward—would take away $3 billion over the next 6 years from the 32 largest school districts and most diverse school districts in our Nation, by the way, many of those students being Black and Latino. While the Senate's Every Child Achieves Act accomplishes tremendous feats in expanding access, the House bill actually does not.

So what do we do? We must make sure that the bills that we pass have actions intended in them. The Senate bill, for example, makes actions optional when schools are not meeting goals while eliminating requirements for States to identify schools that are in need of intervention where it is detrimental to the progress of the children.

So laws must require timely State action to address the inequities where they persist so that we can provide the Federal resources and the support to the lowest performing schools.

Everyone hates talking about accountability. But, without it, we cannot help our low-performing students get back on track. Without clear expectations for reporting inaction, we are doing a disservice to students. These students will fall through the cracks.

I look around this room and I am proud to say that I am a public school kid and many of us in this Chamber are. We are products of our Nation's public school systems.

Look at us. Our communities have chosen us to be their voice. Our communities have chosen us to be their advocates and to fight for them in the classroom.

And I am sure that each of us has had an administrator, a teacher, a principal, who believed in us and put us on

the right track so that we might be where we are today.

As I continuously reflect on my own experience, the daughter of poor immigrants from Mexico, first generation and low income and a child that the original ESEA was meant to serve, I ask my colleagues, let's work together and pass a bill that really helps our children.

GENETICALLY MODIFIED ORGANISMS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as a subcommittee chair of the Committee on Agriculture, I am committed to safe and affordable food.

In recent years, there has been increased interest in where our food comes from and how it is grown. In my view, this movement is long overdue, as far too many Americans are removed from the family farm for several generations.

Agriculture is the backbone of rural America, and its success is critical for local economies and to deliver a product every American needs on a daily basis.

With a growing world demand for food and less Americans engaged in farming, science and innovation have become essential components of agriculture and remain paramount to meet increased demands.

Aside from tractors, combines, and physical technology, innovation also extends to biotechnology. Biotech ensures that America will always have the safest, most abundant, and affordable food supply.

As world populations continue to increase, producing more food on less land will be an ongoing challenge, but one that can be addressed through advances in biotechnology.

With this in mind, there has been an ongoing debate and much attention to what have been dubbed GMOs, or genetically modified organisms, seeds or crops.

Despite the alarmist claims of some, GM products, GM seeds, have provided great benefits to farmers, ranchers, food producers, and consumers.

For instance, some varieties of GM seeds have been engineered to host genetic traits that resist certain types of insects, molds or diseases that destroy crops or, in other cases, GM seeds allow for longer growing seasons or greater crop yields.

GM crops have had an enormously positive impact on farmers, ranchers, and food producers. GM seeds have also had a positive environmental impact because they have reduced the need for large-scale sprays or open-range distribution of pesticides or insecticides.

While some continue to question the safety of consuming GM seeds, the overwhelming consensus among the various credible scientific organizations, such as the National Academy of Sciences, the World Health Organization, and the American Medical Association, remains.

Quite simply, there is no sound scientific evidence that such crops or foods are harmful to human health or the environment.

In fact, a January 2015 study from the Pew Research Center found that 88 percent of surveyed scientists believe that GM seeds or crops are perfectly safe for human consumption.

However, one of the real challenges that has developed regarding GM foods is the lack of a fair and consistent regulatory structure.

Recently several States have made attempts to mandate all GM foods are labeled as genetically modified organisms. As a result, a patchwork of different State laws have begun to emerge over the labeling requirements of GM foods.

Now, this is already causing confusion as to how such labeling standards would directly apply to farmers, ranchers, food processors and, yes, also regulators.

This patchwork of State laws could also create some constitutional questions, should such laws affect interstate commerce and trade.

Nearly 80 percent of the food produced in the United States contains some kind of GM product, and the implications of a State-by-State labeling requirement would be vast.

□ 1030

This week, Mr. Speaker, the House will consider H.R. 1599, the Safe and Accurate Food Labeling Act of 2015, in an effort to address this confusion. Because there are so many myths surrounding this debate, let's start with what the bill does.

This legislation is squarely centered on State labeling efforts. While the bill does preclude States from enacting their own GM labeling laws, it also creates a Federal framework for premarket review and labeling of GM foods; or, in other words, the legislation requires the FDA to conduct a review of any and all new plant or seed varieties before such products are commercially available.

The bill would also require standards for defining whether a product is of the ''GM'' or ''natural.'' The legislation does not prohibit States from outright banning GM crops or writing new relevant laws, but what the bill will do is give farmers, ranchers, and food producers much-needed certainty by establishing a unified and clear regulatory process.

Mr. Speaker, as a cosponsor of H.R. 1599, I rise in support of the legislation, and I urge my colleagues to vote ''yes'' on it.

CALLING FOR THE JUSTICE DEPARTMENT TO INVESTIGATE THE DEATH OF SANDRA BLAND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I stand in the well of the United States House of Representatives today to call to the attention of the Nation the death of Ms. Sandra Bland, something that has been widely published. Videos have been shown. People can draw their own conclusions. But I stand here today because I want to announce that I join the many requesting that the Justice Department impose a thorough investigation—a thorough investigation.

Mr. Speaker, there are some who contend that the Justice Department should not look into this death. I differ. The district attorney, himself, in Waller County—this is where she died—the district attorney, himself, is looking into this and has said the death will be treated as a murder investigation.

A person who is stopped for a minor traffic violation should not end up dead. I think we should all agree that the basic premise is that, if you are stopped for a minor traffic violation, even if you are taken into custody, you should not be found dead in your jail cell.

It is said that she died from self-inflicted asphyxiation, a very polite way to say that she committed suicide. Under these questionable circumstances, the district attorney investigated. It is said that the FBI is looking into it. It is said that local constabulary will look into it in the State of Texas.

Why not have the Justice Department look into it? This is what the Justice Department is for, to look into these questionable circumstances of which too many have occurred as of late and, quite frankly, over a substantial period of time in our country. So this is a questionable case, and I believe this is a case ripe for the Justice Department to investigate.

I want to let the family know—and by the way, I don't know them. I didn't know Ms. Bland. I have no association with them. This is not about her ethnicity, and it is not about her gender. But I want the family to know that I am in sympathy with them, and I feel a certain amount of pain. I cannot feel their pain, but I feel a certain amount of pain because I believe that, if I had a daughter and if my daughter were arrested for a minor traffic violation or as a result of an initial stop for a minor traffic violation and my daughter was found dead in a jail cell some time thereafter with an allegation of suicide, I would want that case investigated, and I believe most people of goodwill would want to see an investigation.

So, Mr. Speaker, I am addressing those who contend that there should be no Justice Department investigation. I have great sympathy for this family—I want you to know that—and I believe there ought to be such an investigation. If this case isn't ripe for a Justice Department investigation, I am not sure that we can conjure up in our

minds a case that is more ripe under these circumstances.

Finally this, Mr. Speaker, I think we have to ponder the question: Have we accorded the constabulary the right to do wrong such that wrongdoing can be justified because it has been codified in the law that you have the right to do certain things?

I think we have to ponder this question because what happened in this case is highly questionable and highly suspect. I say this as a student of jurisprudence, a member of the bar, and a former judge of a court that held probable cause hearings. I have seen my share. But I know that in this case, the Justice Department should investigate.

Mr. Speaker, I will continue to pray for this family and pray for justice to be done.

THE NUCLEAR DEAL WITH IRAN AND OUR NATIONAL SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I come to the floor this morning to talk for a few minutes about the primary issue that my constituents are talking about right now, and that is the issue of national security, homeland security, and how what is happening in the world is affecting our communities right where we live and work and where our children go to school. Isn't that what everyone wants to know: that we are going to be safe, that our children are going to be safe, and that future generations are going to be safe here in the United States?

Mr. Speaker, as we look at these issues of illegal immigration, as we look at ISIS and the threats that are carried out, such as what happened in Chattanooga, and as we look at the Iran deal, we know this affects where we live and where we work.

Today, Mr. Speaker, I want to spend just a few minutes talking about the Iran nuclear deal.

One of the members, retired, of a military organization, MOAA, came up to me Saturday as I was talking to them. He said: MARSHA, this is a bad, bad deal. It is a bad, bad deal.

I have got to agree with him. It is. Of course, he speaks from the perspective of having worn the uniform and served, having had a full military career. It is interesting. They know a bad deal when they see one, and in this Iran nuclear deal that is proposed, they see the tenets of a very bad deal.

Let's look at a few of these components that will not serve us and future generations, our national security, or our homeland security well.

As you review this deal, you see that Iran retains the ability to enrich uranium. That does not stop. It is going to continue on. We can already see how a nuclear Iran would create an arms race in an area which is already volatile. Any capability to enrich uranium may cause a nuclear arms race to happen and further destabilize the Middle East.

You see, Mr. Speaker, we are not prohibiting them from doing anything. All we are doing is basically setting a date certain 10, 15, or 20 years down the road. Now, think about your children and grandchildren 10, 15 or 20 years down the road. If Iran has a nuclear weapon, what are they going to say at that point in time? How is it going to affect them?

Think about the region. A Saudi official has said: ''Politically, it would be completely unacceptable to have Iran with a nuclear capability and not the kingdom.'' I am quoting a Saudi official's remarks.

Any deal must have full transparency, and we need to know that there can be and will be because there must be anytime, anywhere inspections. It is my fear that a deal with Iran is not going to accomplish this.

The Wall Street Journal reported yesterday—and, Mr. Speaker, I will submit this for the RECORD—''Iran Inspections in 24 Days? Not Even Close.'' It was a Wall Street Journal article, and I commend it to my colleagues to read as they review this and think about how they are going to vote on this deal.

The Wall Street Journal stated: ''The Obama administration assures Americans that the Iran deal grants access within 24 days to undeclared but suspected Iranian nuclear sites.''

When you look at the Joint Comprehensive Plan of Action, it reveals that actually it is going to be closer to months. They can end up holding inspectors at bay for months.

Again, from the Journal I am reading and quoting: ''So from the moment the IAEA first tips its hand about what it wants to inspect, likely three or more months may pass.''

Now, Mr. Speaker, I ask you, does this sound like the type of deal that you would want to make with a country whose people recently were out chanting ''death to America'' and burning our flag to celebrate the Muslim holy day with the Supreme Leader in attendance at that rally? Does this sound like the type of deal that should be approved by our Secretary of State and supported by our President? Why? Why would they want to do this? Why would there be a deal that sets a date certain and kind of lays out that path? Simply put, there is no way—no way—that we can trust Iran to allow inspectors unfettered access to both civilian and military sites to verify that they are not pushing a nuclear weapon. So we would be left wondering if—if—they are going to hold up their end of this so-called nuclear deal.

Mr. Speaker, a senior commander in the Revolutionary Guard has recently said that inspectors will not be allowed on military sites. General Hossein Salami said: ''We will respond with hot lead . . . We will not roll out the red carpet for the enemy.''

In addition, Mr. Speaker, it is extremely concerning that Iran is asking for sanctions on weapons sales and ballistic missile technology transfers to be lifted. It is a bad, bad deal, as my constituent said. I commend further study to my colleagues.

[From the Wall Street Journal, July 21, 2015]

IRAN INSPECTIONS IN 24 DAYS? NOT EVEN CLOSE

(By Hillel Fradkin and Lewis Libby)

The Obama administration assures Americans that the Iran deal grants access within 24 days to undeclared but suspected Iranian nuclear sites. But that's hardly how a recalcitrant Iran is likely to interpret the deal. A close examination of the Joint Comprehensive Plan of Action released by the Obama administration reveals that its terms permit Iran to hold inspectors at bay for months, likely three or more.

Paragraphs 74 to 78 govern the International Atomic Energy Agency's access to suspect sites. First, the IAEA tells Iran ''the basis'' of its concerns about a particular location, requesting clarification. At this point Iran will know where the IAEA is headed. Iran then provides the IAEA with ''explanations'' to resolve IAEA concerns. This stage has no time limit.

Opportunities for delay abound. Iran will presumably want to know what prompted the IAEA's concern. The suspect site identified by the IAEA is likely to be remote, and Iran will no doubt say that it must gather skilled people and equipment to responsibly allay IAEA concerns. Iran may offer explanations in stages, seeking IAEA clarifications before ''completing'' its response. That could take a while.

Only if Iran's ''explanations do not resolve the IAEA's concerns'' may the IAEA then ''request access'' to the suspect site. Oddly, the agreement doesn't specify who judges whether the explanations resolve concerns. If Iran claims that it has a say in the matter, the process may stall here. Assuming Iran grants that the IAEA can be the judge, might Iran claim that the ''great Satan'' improperly influenced IAEA conclusions? Let's assume that Tehran won't do that.

Now the IAEA must provide written reasons for the request and ''make available relevant information.'' Let's assume that even though the IAEA may resist revealing the secret sources or technical means that prompted its suspicions, Iran acknowledges that a proper request has been supplied.

Only then do the supposed 24 days begin to run. First, Iran may propose, and the IAEA must consider, alternative means of resolving concerns. This may take 14 days. Absent satisfactory ''arrangements,'' a new period begins.

During this period Iran, ''in consultation with'' the Joint Commission, will ''resolve'' the IAEA concerns ''through necessary means agreed between Iran and the IAEA.'' The Joint Commission includes China, France, Germany, Russia, the U.K, the U.S., the European Union and, of course, Iran. Not exactly a wieldy bunch.

The Iranians will likely claim that ''consultation'' with the Joint Commission doesn't bind Tehran, just as the U.S. president isn't bound by consultations with Congress. The agreement says the consultation process will not exceed seven days, but Iran can point out that the nuclear deal doesn't specify when Iran and the IAEA must reach agreement and ''resolve'' IAEA concerns.

In the absence of Iran-IAEA agreement, a majority of the Joint Commission has seven days to ''advise'' on the ''necessary means'' to resolve the matter. Iran may fairly argue that the commission's right to ''advise'' is

not the same as a right to ''determine'' the ''necessary means.'' Lastly, the agreement provides that ''Iran would implement the necessary means within 3 additional days.'' But what ''necessary means'' are these? As noted, the agreement refers to ''necessary means agreed between Iran and the IAEA.'' So these additional three days don't even begin until an agreement is reached.

Now what? Well, the U.S. may take a ''Dispute'' to the Joint Commission, on which Iran sits, which has 15 days to resolve the issue. Parties may or may not invoke a similar 15 days for foreign ministers to act. Parties may also request a nonbinding opinion within 15 days from an advisory board consisting of three members, one appointed by Iran, one by the complaining country and ''a third independent member.''

But Iran may argue that nothing in the nuclear deal specifies how quickly a country must appoint its advisory-board member or even how the ''independent member'' is selected. In short, this stage may take at least 30 days and possibly 45 of consideration at the different levels, but Iran may argue that the last 15 days don't start until an advisory board has been duly formed. Then we get another five days of Joint Commission deliberation, before a disappointed U.S. or other commission member seeking IAEA inspections can hobble off to the United Nations seeking resolutions reimposing sanctions.

In short, as Iran is free to interpret the agreement, 63 or even 78 days may pass, plus three potentially lengthy periods that Iran can stretch out: One of ''explanations'' before the clock starts, one to agree on necessary means and ''resolve concerns,'' and one for advisory-board selection near the end.

So from the moment the IAEA first tips its hand about what it wants to inspect, likely three or more months may pass. All along, the Joint Commission is required to act in ''good faith,'' and to make only ''minimum necessary'' requests limited to verification, not ''interference.'' Tehran could also cite these terms to challenge particular requests.

The description of this process is based on the English-language text of the nuclear agreement. The text lacks a provision that it is the entire agreement, so Iran may claim support in supposed side agreements or statements during negotiations.

Announcing this ''comprehensive, long-term'' deal, President Obama quoted President Kennedy's 1961 call for negotiations with the Soviets. Kennedy reached two notable nuclear agreements. Mr. Obama didn't mention that within a decade of Kennedy's 1963 Limited Test Ban Treaty, Soviet nuclear forces—once a fraction of America's—were at parity or had surpassed ours.

During the 1962 Cuban Missile Crisis, Kennedy reached secret agreements—undisclosed to Americans for decades—not to invade Cuba and to withdraw U.S. weapons from Turkey. By invoking Kennedy was President Obama signaling there is more to this ''long-term'' deal than we know?

He is a subtle man.

COMMEMORATING THE 50TH ANNIVERSARY OF THE VOTING RIGHTS ACT OF 1965

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Mrs. BEATTY) for 5 minutes.

Mrs. BEATTY. Mr. Speaker, I rise today to join many of my Democratic colleagues to commemorate the 50th anniversary of the Voting Rights Act of 1965 and to ask this House to pass legislation for voting rights now.

Mr. Speaker, this was the first nation in our history to be founded with a purpose. Great phrases of that purpose are still being said and quoted around the world from the souls and hearts of Americans: ''All men are created equal,'' and, ''Give me liberty or give me death.'' Those words were not to be revered as meaningless, to ring hollow over the years. Today I join my colleagues as guardians of that liberty and advocates for voting rights legislation.

Mr. Speaker, 50 years ago before Congress, President LBJ said: ''I want to be the President who helped the poor to find their way and who protected the right of every citizen to vote in every election.''

''Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty we have to ensure that right.''

Mr. Speaker, from the steps of the Lincoln Memorial, Martin Luther King delivered his ''Give Us the Ballot'' speech, urging the President and Members of Congress to ensure voting rights for African Americans. He indicted both political parties for betraying the cause of justice. He said—let us be reminded of these words—''The Democrats have betrayed it by capitulating to the prejudices and undemocratic practices of the Southern Dixiecrats. The Republicans have betrayed it by capitulating to the blatant hypocrisy of the right wing, reactionary Northerners. These men so often have a high blood pressure of words and an anemia of deeds.''

Mr. Speaker, today I ask Democrats and Republicans to come together for voting rights legislation now.

Over the past 50 years, our country has come a long way: the end of Jim Crow, integration of our public schools, and the election of our first Black President. While we have made great progress over the past 50 years, we must continue to fight for justice and equality at the polls.

In the past few Presidential elections, we have seen long lines, intimidation, and voter suppression. We must remain diligent in our efforts to root out voting discrimination because of the Supreme Court's misguided decision in 2013 in the Shelby County v. Holder matter and the failure of Congress to remedy this dismantling of our Nation's fundamental rights. We must be more vigilant than ever.

Two years ago, in Shelby, the Supreme Court struck down a critical part of the Voting Rights Act. Some would say it cut the heart of the Voting Rights Act by finding section 4 unconstitutional.

□ 1045

This was a setback to our country and to our democracy by removing much-needed voting protections in disenfranchised communities. Our democracy was founded on the audacious idea that every eligible citizen should have access to the ballot box.

This is why I am proud to stand with over 70 bipartisan congressional colleagues as an original cosponsor of the Voting Rights Advancement Act of 2015, H.R. 2867, which would restore and advance the critical voter protections taken away by the Shelby decision.

Mr. Speaker, it is time for us to bring voting rights legislation to the floor. Now, more than ever, with just 7 legislative days left, we head back to our districts for our August work period. Congress should honor the progress of being able to allow us to say to our constituents, to this Nation, that our country has made sure that there is equal rights and equal treatment.

Let us work together on advancing important legislative priorities, such as the Voting Rights Amendment Act.

APOLLO 11 MISSION, 46 YEARS LATER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. HULTGREN) for 5 minutes.

Mr. HULTGREN. Mr. Speaker, I rise today to remember and celebrate a monumental achievement our Nation's space program reached 46 years ago this week. On July 20, 1969, Neil Armstrong, Buzz Aldrin, Michael Collins, and the entire NASA team transformed the world's belief in what was possible.

Following President Kennedy's charge to land a man on the Moon and return him safely to the Earth before the decade was over, NASA put their talent and treasure into making that dream a reality. No longer was human discovery and exploration limited to our own planet. The Moon, which had always been beyond our human ability to reach, was now within our grasp.

This ''giant leap for mankind'' propelled American space exploration and inspired generations to pursue science and research as a way of life. Today, human space exploration and discovery sciences are engrained in American society and are prime demonstrations of our Nation's exceptional nature. As Americans, it is in our DNA to push the boundaries and frontiers of knowledge.

Developing new technologies and expertise is vital as we consider a mission to Mars, take closeup photos of Pluto, and send robots throughout our solar system. The new generation must now work to fulfill the dreams and ambitions of that first group of space explorers.

Let us encourage our children to think seriously about careers in science, technology, engineering, and mathematics—careers that could lead them to become actual rocket scientists or astronauts. Bold, long-term commitments to the projects that made NASA and our space program great will help inspire our kids.

The Apollo 11 mission changed America and the world, and we remain forever grateful to those who were a part

of that mission. Forty-six years ago, if the unthinkable occurred and the astronauts never made it back to Earth, President Nixon had a speech prepared to deliver to the Nation.

If the worst happened, the President would have said:

> In ancient days, men looked at stars and saw their heroes in the constellations. In modern times, we do much the same, but our heroes are epic men of flesh and blood.

I was honored to meet the members of the Apollo 11 crew, including Neil Armstrong before he died. Indeed, these men were epic heroes of mine. Many of us grew up in an era where we were proud to be the Nation that sent men to the Moon, and we still are. Nothing can change that fateful decade of discovery coupled with frustration, trial coupled with error, all resulting in that historic world-changing mission.

I want our kids and grandkids to look back and be proud citizens of the Nation that made our Moon hospitable, sent astronauts to Mars, and keeps sending spacecraft past the outer reaches of our solar system. Renewed vigor in our country's space program will ensure we continue to make mankind-sized leaps for years to come.

CLOSURE OF COLOWYO COAL MINE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. TIPTON) for 5 minutes.

Mr. TIPTON. Mr. Speaker, mines in Colorado's Third Congressional District provide not only critical jobs, they also provide the reliable, affordable electricity on which countless Americans rely.

The future of one such mine, operated by Colowyo in Moffat County, is now in jeopardy after a Federal judge sided with a radical environmental group notorious for filing lawsuits, at the expense of taxpayers who often end up footing their litigation bill.

I am urging the Department of the Interior to take swift action to prevent the impending closure of the Colowyo mine, and I want to thank Senator CORY GARDNER for his partnership in this effort.

On May 8, 2015, the Federal district court for the district of Colorado issued an order determining that the Office of Surface Mining failed to comply with the National Environmental Policy Act in 2007, when it issued a mine plan for approval of the Colowyo coal mine.

The court gave OSM 120 days to be able to prepare a new analysis and issue a new decision. If OSM does not complete the process in 120 days, the court stated that it would vacate the mine plan, effectively shutting down the mine on September 6.

Unfortunately, despite repeated insistence from myself, Senator GARDNER, county officials, and the surrounding local communities, this administration decided against appealing the court's ruling.

We have to ask the question: Does not the executive branch have a duty to defend its permitting actions? Of course, it does. The Federal Government must vigorously defend the legality of its permitting actions and leave policy debates over the role of coal in the legislative and rulemaking proceedings where those debates belong.

Here is where we stand as the September 6 deadline approaches. The livelihoods of thousands of northwest Coloradans are in peril, as they rely on an administration with a track record of attacks on the mining industry and affordable electricity to do the right thing. Unfortunately, this administration hasn't done much to allay our concerns.

A mine closure would jeopardize 220 direct jobs and millions in economic activity. While 220 jobs may not sound like much, to the town of Craig, population 9,400, that has a significant economic impact on this community.

To properly be able to understand the scale of this potential catastrophe, this is equivalent to the President's hometown of Chicago shedding 63,000 well-paying jobs.

The adverse effects of shutting down this mine go beyond the jobs at the mine that would be lost. Coal produced by this mine, located in Moffat and Rio Blanco Counties, is used to generate power at Craig Station. The mine is a critical supplier of western Colorado's energy. It provides reliable, affordable electricity in much of the western half of the State.

Last week, I attended a meeting to discuss the future of the Colowyo mine in Glenwood Springs with Secretary of the Interior Sally Jewell; Bureau of Land Management Director Neil Kornze; and a number of western Colorado community leaders, including Moffat County Commissioner John Kinkaid and Craig Mayor Ray Beck.

While it would have been preferable for the Secretary to make time to be able to meet with the miners in Moffat County who are facing the loss of their livelihood, look them in the eye, and hear their stories, she did meet with this group; and I hope that she received a better understanding of the important impact of the Colowyo mine on the impact of the economy in northwest Colorado.

I was pleased to be able to hear Secretary Jewell assure us before the meeting that the Department of the Interior is on schedule to be able to complete a new environmental assessment by the court's deadline of September 6; and, if for some reason they fail to meet that schedule, they will request an extension.

I hope the Secretary realizes that the decisions made in Washington have lasting impacts on everyday working Americans. Unfortunately, we have seen repeated attempts by this administration to impose drastic and, in some cases, outright unattainable mandates on the existing electricity sources.

Communities such as Craig have expressed concerns that these proposed regulations will work to the detriment of the local economies by shutting down local power plants, negatively affecting Colorado's mining industry, and needlessly burdening Coloradan families and businesses with higher energy costs; yet here we are on the cusp of leaving over 220 honest, hard-working people without a paycheck.

This battle offers a vivid and all too familiar lesson in how environmental special interests, if not balanced against the practical need for a healthy and growing economy, can wreak havoc in the everyday lives of Coloradans. The careful balance between environmental protection and economic prosperity is regrettably missing from this administration's policies.

The most troubling part of all of this is that the effects of these misguided regulations won't actually result in cleaner air overall, but will jeopardize the reliability of the electrical grid and have a severe economic impact.

The people of Moffat County are the people who are feeling these impacts. The people of Moffat County need to know that they are not alone in this effort. I am committed to doing everything within my power to be able to fight for affordable, reliable, and responsible energy production.

COAL ASH WASTE DISPOSAL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for 5 minutes.

Mrs. WATSON COLEMAN. Mr. Speaker, this week, the House will consider dangerous legislation on coal ash that will put communities and families in New Jersey in danger. We need strong Federal regulation on coal ash waste. Poor management practices in States like Pennsylvania and New York that border New Jersey affect my constituents' lives.

The Delaware River provides drinking water to one-third of New Jersey's municipalities. In 2005, Martins Creek Power Plant in Pennsylvania spilled 100 million gallons of coal ash across 10 acres into the Delaware, contaminating that drinking water with arsenic. Towns surrounding the Delaware, towns that depend on the river for the fishing and recreational activity that drives their economies were devastated.

In New York, the EPA found that coal ash from a power station had contaminated groundwater with iron, selenium, manganese, aluminum, and at least 10 other dangerous chemicals.

H.R. 1734 not only fails to protect communities from toxic pollution, it undermines legitimate efforts to protect our communities.

I urge my colleagues to vote against it. All of our constituents deserve better.

AUDIT THE FED

The SPEAKER pro tempore. The Chair recognizes the gentleman from

West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, few institutions are as powerful and as secretive as the Federal Reserve.

The Federal Reserve's monetary policy impacts the prices every American pays at the grocery store; the ability of businesses to obtain the capital necessary to create new jobs; and the value of investments the average American relies on to provide for their families, educate their children, and enjoy a secure retirement.

Despite the Fed's enormous power, Congress continues to allow the Fed to conduct monetary policy in secret. While the Government Accountability Office is allowed to perform limited audits of the Fed, it is forbidden by law from auditing. In other words, the Congress has forbidden the Government Accountability Office from examining how the Fed conducts monetary policy, its most important function.

Allowing the Fed to conduct monetary policy in secret is a failure of Congress' duty to carry out meaningful oversight of the Federal Reserve. Congress and the people we represent deserve to know the full truth about the Federal Reserve.

□ 1100

This is why one of my first acts upon coming to this House was to cosponsor the Federal Reserve Transparency Act, H.R. 24, introduced by my friend THOMAS MASSIE of Kentucky.

This simple two-page bill authorizes a full audit of the Fed's monetary functions and is popularly known as ''Audit the Fed.''

The passage of this bill will allow the American people to finally get a better picture of the Fed's operations, including its dealings with large financial institutions and foreign central banks.

Contrary to the claims of the Fed and its supporters, nothing in this bill gives Congress any new authority over the Federal Reserve.

It simply allows Congress to get a retrospective look at how the Fed carries out monetary policy so that Congress and the people can fully understand, evaluate, and oversee the Fed's actions.

Audit the Fed has twice passed the House by overwhelming majorities and is supported by almost 80 percent of the American people. Yet, former Senate Majority Leader HARRY REID blocked the bill from coming to the floor for a vote in the U.S. Senate.

Senator REID's replacement as majority leader, Senator MITCH MCCONNELL, is a cosponsor of S. 264, the Senate version of Audit the Fed, which has been introduced by Kentucky Senator RAND PAUL.

It is finally time for a vote in the U.S. Senate as well. The passage of Audit the Fed is more important than ever, given the Federal Reserve's actions since the 2008 financial crisis.

Following the financial meltdown, the Fed commenced an unprecedented program of trillion-dollar bailouts for Wall Street. The Fed's poor track record over the past decade is not an irregularity.

Since the Fed's creation, the dollar has lost 97 percent of its purchasing power. Allowing the Federal Reserve to continue operating in secrecy may benefit certain well-placed individuals, but it has not benefited my constituents in West Virginia.

It is time to bring transparency to monetary policy. It is time to tear down the Fed's wall of secrecy. It is time to audit the Fed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 2 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Thank You, O Lord, our God, for giving us another day.

You are the provident guide of our Nation's history, and we ask You to guide, protect, and strengthen the United States House of Representatives during this first session of the 114th Congress.

Help these duly elected Representatives of the people be about the work of the people. Make this democratic Republic strong, that it may be Your fit instrument to unite the natural and human resources of this Nation, that Your people may live ordered lives under the law and in harmony with others—and so be a beacon of hope for the world.

In You and from You we draw our inspiration and creativity. In You and from You, O Lord, we find lasting peace and universal justice. May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. MCCLINTOCK. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MCCLINTOCK. 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. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Ms. JUDY CHU) come forward and lead the House in the Pledge of Allegiance.

Ms. JUDY CHU of California led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

GUN GRAB THROUGH SOCIAL SECURITY

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, President Obama is at it again. He is now seeking to deny millions of law-abiding Americans their Second Amendment right to bear arms by going through Social Security.

And why is that? Because he couldn't get gun control through the Congress. The American people wouldn't stand for it.

Mr. Speaker, old age or a disability does not make someone a threat to society. These folks should be able to defend themselves, just like everyone else.

As chairman of the Social Security Subcommittee and a staunch defender of the Second Amendment, I will do everything in my power to stop this gun grab. Yesterday I ordered the Commissioner of Social Security to stand down and abandon any such plan.

Mark my words: Americans' Second Amendment rights must and will be protected.

AUTHORIZATION INCREASE FOR SMALL BUSINESS 7(A) LOAN PROGRAM

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JUDY CHU of California. Mr. Speaker, I am here to ring the alarm bell on the pending expiration of a very important program next week.

It is the Small Business Administration's flagship 7(a) loan program, which

provides long-term loans to small businesses that are unable to secure financing through conventional channels.

About 80 percent of small-business owners who apply for a non-SBA loan get rejected. It is SBA's 7(a) program that gets them the money they need to succeed. In my district alone, more than $2 billion in capital has been provided to small businesses since 1990.

Not only does 7(a) lending directly support American jobs, it also operates at zero cost to taxpayers. We cannot let this successful program lapse. At the current rate of lending, this program could be forced to shut down as soon as next week.

I urge the Speaker to act on this critical issue before the August recess and make sure that our small businesses thrive.

STURGIS 75TH ANNIVERSARY

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I rise to recognize the upcoming Sturgis Motorcycle Rally, which will be celebrating its 75th anniversary this year.

Each August, freedom-loving bikers, racers, and motorcycle enthusiasts gather in Sturgis, South Dakota, to celebrate this annual event.

From the first Black Hills Motor Classic rally in 1938, Sturgis has expanded from a single race to a weeklong event attended by hundreds of thousands of people from across the U.S. and the globe. This year, organizers are anticipating well over 1 million people will descend upon the small town of 6,600.

As co-chair of the Congressional Motorcycle Caucus, I want to offer my best wishes to the attendees of this year's event. We hope for good weather, safety, and another successful week celebrating motorcycles and the freedom to ride.

HONORING THE LIFE AND LEGACY OF VAN MILLER

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, I rise to honor the life and legacy of Van Miller, the radio voice of the Buffalo Bills, who passed away last Friday at the age of 87.

For decades, thousands of Bills fans welcomed Van into their homes. Every Sunday they muted their televisions so that they could watch the game with Van giving the play-by-play on the radio. He epitomized what it means to be a Buffalo Bills fan because he was one of us, a native western New Yorker.

Van joined the Bills for the team's inaugural season in 1960, and his voice became synonymous with some of the most exciting moments in Buffalo sports history. His play-by-play of four consecutive Super Bowl appearances, his exhilarating call of ''The Comeback'' game, and his word ''fandemonium'' will forever echo in the ears of loyal Bills fans everywhere.

Van earned a place on the wall of fame at Ralph Wilson Stadium and was the first local broadcaster to be honored with the Pete Rozelle Radio-Television Award from the Pro Football Hall of Fame in 2004.

I ask my colleagues to join me in remembering Van Miller's place in sports history and to recognize the cultural contributions, memories, and joy he brought to so many western New Yorkers.

PULSE OF TEXAS: THOMAS DAVIS—HOUSTON, TEXAS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the President has announced he has reached a nuclear deal with Iran. Some of my Texas constituents have contacted me because they are worried about this dangerous and irresponsible ''deal.''

Thomas Davis of Houston wrote, ''We must not finance terrorism or in any way support Iran's gaining nuclear weapons.''

Thomas is rightfully concerned. Since Iran will soon receive billions of dollars, they can continue to sponsor their terrorist groups worldwide. Also, the deal legitimizes Iran's nuclear weapon program development in 10 years.

Thomas continues, ''I also urge you to disregard the U.N.'s premature acceptance, as they do not accept something for us or authorize spending of our funds. If their action does give Iran funds from an account we supplement, then defund that account.''

Wise words from citizen Thomas Davis. Giving the U.N. the first say on the nuclear deal and not Congress was misguided. The U.N. vote of approval will not intimidate me into voting for this deal.

This deal will make the world less safe, less free, and make Iran a world nuclear weapon power. Isn't that lovely.

And that is just the way it is.

OLDER AMERICANS ACT

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, on July 14, the Older Americans Act turned 50 years old. My constituent Patricia, from Chicago, is one of millions who rely on the Older Americans Act. And here is what she wrote to me:

''I suffer from three chronic illnesses. Meals on Wheels allows me to have nutritious meals despite a difficult medicine regime . . . while not as active as I used to be it allows me dignity in these difficult days . . . it allows me to volunteer both through my church and the park district and give back to the community the gifts and knowledge accumulated through my lifetime . . . I teach crochet in the park district and to youngsters as well as tutor science and math in my church . . . enriching the lives of many . . . it's what I can do and these programs help me do it. . . .''

Let's celebrate the Older Americans Act by passing a strong reauthorization bill for millions of people like Patricia.

IRAN

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, we repeatedly hear supporters of this weak and dangerous Iran nuclear deal throw out this false dichotomy: It is either this deal or war.

The reality of the situation is this: If Congress does not reject this naive Iran nuclear deal, then we won't be faced with the deal or war. We will be faced with this deal and war.

Why do I say this? Other countries in the region are going to want what we have conceded to Iran, especially because we inexplicably agreed to a lifting of the arms embargo and a lifting of the sanctions against the regime's ballistic missile program.

So what have we guaranteed with this unverifiable deal? There is a conventional and nuclear arms race already set in motion in the region, and Iran will be nuclear in just about a decade's time.

The only rational decision, Mr. Speaker, is to vote against this deal if we truly want to avoid war.

IMMIGRATION REFORM

(Mr. GALLEGO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGO. Mr. Speaker, what happened in San Francisco was a horrible tragedy, and my thoughts and prayers go out to Kathryn Steinle's family.

As the authorities in San Francisco seek justice for Kate, we should not, however, allow demagogues like Donald Trump to demonize entire communities because of the actions of a single person. It is disappointing and alarming that the House Republican leadership is following Donald Trump's lead on immigration.

The bill before the House this week would withhold funds that are meant to enhance public safety, support community policing, and assist crime victims, effectively putting our communities at higher risk.

Mr. Speaker, this is nothing but an effort to cover for the House Republican leadership's failure to bring a comprehensive immigration reform bill to the floor that would actually fix our broken immigration system.

But like Donald Trump, the House Republican leadership seemingly can't help themselves when it comes to painting millions of law-abiding and hard-working immigrants as nothing but criminals.

Mr. Speaker, the safety of our communities should not be a political pawn. What the House Republican leadership is doing is irresponsible. Local law enforcement knows how to keep communities safe. Let them do their job.

FAKE OBAMACARE PAYMENTS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, we continue to see issues with the President's healthcare law, including the most recent GAO investigation that has revealed that there are major fraud problems with the enrollment Web site.

The nonpartisan watchdog discovered that www.healthcare.gov is unable to detect and prevent blatant fraud, as fake applicants were able to sign up for subsidies.

This red flag is yet another example of how the healthcare law is not achieving the goals that it has claimed. Premiums continue to rise. Medical innovation has been stifled. And patients have less choice when it comes to their own healthcare decisions.

Mr. Speaker, www.healthcare.gov was supposed to include a working verification system to ensure that nobody could cheat the system. However, it is clear from this investigation that there is very little fraud protection in place.

Mr. Speaker, whether it is through incompetence or apathy, it is unacceptable that hard-earned taxpayer dollars are being wasted because administrators aren't implementing fraud protection measures. The status quo must change.

□ 1215

OPPOSE ENFORCE THE LAW FOR SANCTUARY CITIES ACT

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today in staunch opposition to H.R. 3009, the Enforce the Law for Sanctuary Cities Act, or perhaps better titled, the ''Donald Trump Act.'' This bill is nothing more than an underhanded ploy to criminalize the immigrant community who, research shows, is less likely to commit serious crimes than native-born persons. To demonize an entire community based on the actions of a few does not inform wise policy.

Local police are best equipped to make decisions of how best to serve their communities. Let them make those decisions. Withholding Federal funds from jurisdictions who have adopted local trust policies will not make our communities safer or fix our broken immigration system. It will only make it more difficult for local police to provide public safety to their communities.

Unfortunately, Mr. Speaker, this doesn't come as a surprise. This is the same Republican-led Congress that nearly shut down the Department of Homeland Security, compromising the safety of our communities.

I have consistently said that we need to focus on passing comprehensive immigration reform, yet time and time again, Republicans have shown the only aspect of immigration reform they are interested in is deportation.

REMEMBERING BROOKSVILLE'S VICE MAYOR, JOE JOHNSTON

(Mr. NUGENT asked and was given permission to address the House for 1 minute.)

Mr. NUGENT. Mr. Speaker, I rise today to remember the life of the city of Brooksville's vice mayor and a good friend of mine, Joe Johnston III. Joe was as straightforward and as good as they come. The loss of his life has impacted the entire Hernando County community, and for obvious reasons.

Joe was a family man. He dedicated his life to his wife, Diana, their three daughters, his two brothers, and seven grandchildren in the same place where his parents raised him. He attended our local schools, graduated from the University of Florida, and moved back to be a paralegal in the firm which his father established and helped to build.

More often than not, Joe's devotion was indicative of his love for the greater community. Twenty years ago, Joe ran successfully for a seat on the Brooksville City Council and proudly served in that seat until his untimely death just this month.

He was compassionate and caring about those around him, whether he knew you or not. Joe was known for being a steady hand on the council and was never backing down, even when the odds were against him. And people respected that. He became well known in our small town not solely because of his politics or his career; in fact, it was mostly what he did outside of it. He was an outdoorsman, a traveler, a sailor, an adventurer, and a great member of the community.

Mr. Speaker, he understood that true appreciation in life comes from the experiences you have and the memories you make, and he embraced it with his all.

It pains me that, after 10 years, Joe lost his battle with cancer. So I stand here today to remember a leader I valued and to celebrate his great life.

THE EXPORT-IMPORT BANK

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, only one of the top ten exporting countries in the world does not have an export-import agency that helps them finance new export deals, just one, and that country is the United States of America. That is because this Congress has failed to do what every Congress since FDR has done, and that is reauthorize the Export-Import Bank.

Today, Mr. Speaker, an American exporter is forced to compete against China, South Korea, Germany, France, Italy, and Japan with one hand tied behind its back. Their businesses get the support, their citizens get the jobs, and Americans are hung out to dry by their own government.

In my congressional district alone, 66 small businesses in the past 8 years have benefited from Export-Import financing of their exports. They have exported everything from peanut butter to industrial equipment.

Mr. Speaker, let's give Congress a chance to save American jobs. Let's have an up-or-down vote on the Export-Import Bank. If it came to a vote on this floor, it would surely pass.

CELEBRATING PIUTE COUNTY'S 150TH BIRTHDAY

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Mr. Speaker, today I rise to celebrate Piute County's 150th birthday. Piute County was formed in January 1865, after a year of hard work by entrepreneurial Mormon pioneers.

Press reported that in only 1 year the settlers had built more than 4 miles of canals and more than 10 miles of roads, all to access the good farmland and timber and other things they would need as they built this community. One reporter noted:

> The spirit of industry and perseverance in the people is manifest. Their actions are kind and benevolent towards one another, and they will make this a great place for future generations.

Mr. Speaker, the past 150 years have proven these words to be true. Today, the county is home to many hard-working residents, people who work in a uniquely beautiful rural setting. The county enjoys the world-famous Paiute ATV Trail, boating, fishing, hunting, and horseback riding.

Mr. Speaker, I am proud to represent Piute County. They represent some of the best people our Nation has to offer, and I wish them much success as they celebrate their 150th anniversary.

THE VOTING RIGHTS ACT

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to mark the approaching 50th anniversary of the Voting Rights Act and talk about the importance of restoring the Voting Rights Act as well.

For decades, the Voting Rights Act has stood as the guardian for all Americans to exercise their right to vote. But 2 years ago, the Supreme Court reversed course on expanding voting rights when it ruled that section 4 of the Voting Rights Act was unconstitutional. Just hours after that ruling, my home State of Texas immediately began enforcing discriminatory laws against minority citizens from voting.

I sued the State to fight these unconstitutional efforts in Veasey v. Perry, which the United States district court agreed that Rick Perry, then the Governor of Texas, signed an intentionally discriminatory Texas voter photo ID law. It was under Perry's watch as Governor of Texas that the State legislature passed the most egregious voter ID law in the entire country.

Mr. Speaker, as we await the decision of the Fifth Circuit Court of Appeals on Veasey v. Perry, House Democrats will continue to fight against obstacles to voter participation and talk about the importance of restoring the Voting Rights Act. As you can tell by what is going on in Texas, it needs to be done now.

FIGHTING FOR THE UNBORN

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I stand before you today with a heavy heart.

Recently, videos have been released showing senior employees at Planned Parenthood discussing a horrific topic: the proper way to preserve the heart, liver, and lungs of a child during an abortion in order to harvest those organs for sale.

Consider the illogical nature of the conclusion that an infant is not a life, that an infant is not worthy of preservation, but the organs, which give it life, are worthy enough to be kept and sold.

Pro-life or not, this should strike at the conscience of every human being, and, in a larger sense, it should strike at the conscience of a nation that this practice is permitted and allowed.

Following the release of these videos, House leadership called for an investigation into Planned Parenthood, which I commend and fully support.

I am often asked back home if I consider myself pro-life and, if so, why. My answer to them is simple: I will never forget hearing my daughter's heartbeat for the first time. That heartbeat had a name, and its name was Colby.

AMERICANS BELIEVE MEDIA IS INTENTIONALLY BIASED

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, Americans are increasingly skeptical about the national news they receive. A new study released this month conducted by the First Amendment Center and USA Today found that only 24 percent of Americans believe the media try to report the news without bias. This is a record low since the question was first asked a decade ago.

Mr. Speaker, 70 percent of respondents believe that news reports are intentionally biased. This represents a 15 percent increase just since last year. Millennials are even more suspicious about the news. Only 7 percent of Americans 18 to 21 years old said that the media report news objectively.

Media bias is both real and unfortunate. Americans will continue to reject the bias of the national liberal media until the media stops telling them what to think.

RECOGNIZING KATHY ARTS OF THE FOURTH CONGRESSIONAL DISTRICT OF CALIFORNIA

(Mr. MCCLINTOCK asked and was given permission to address the House for 1 minute.)

Mr. MCCLINTOCK. Mr. Speaker, Walt Whitman explained the story of mankind when he said: ''The powerful play goes on, and you will contribute a verse.''

I rise today to recognize the many verses contributed by an extraordinary lady, Kathy Arts. Kathy has managed my district office for nearly 7 years and is retiring to contribute still more verses through her family, her friends, colleagues, community, and church.

Whether as a small-business owner for the past 28 years, a volunteer coordinator for local county fairs and community festivals or a charity fundraiser, Kathy is the paragon of a go-to person.

Kathy's most conspicuous virtue is her genuine concern for helping others, and that has been a godsend to my office and to the people of the Fourth Congressional District of California. In this, she is irreplaceable.

When I think of a meaningful life, I think of Kathy Arts and rise to thank her for her public service.

PLANNED PARENTHOOD

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. Mr. Speaker, I rise today in support of protecting the lives of the unborn and condemn the barbaric practices of Planned Parenthood as described by the foundation's medical directors in recently released video footage. The heartless and blatant disregard for the sanctity of life reveals the systemic problems with this organization, specifically, their culture of death.

Mr. Speaker, let's think about this: How can life-giving organs be considered more valuable than the very life of the baby from which they are taking those organs?

Hopefully, these sobering clips will embolden the Senate to move on finishing the fight to protect the unborn that are medically documented to feel pain at 20 weeks and pass H.R. 36, the Pain-Capable Unborn Child Protection Act.

In closing, Mr. Speaker, as the veil is pulled back and the practices of Planned Parenthood are further exposed, I remain steadfast in preventing taxpayer dollars from funding this organization. We must protect the innocent lives of the unborn in every way that we can.

HONORING HAL COXIN OF LAKE COUNTY, ILLINOIS

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to recognize the contributions of Hal Coxin to our community in Lake County, Illinois. Hal is literally an institution in Lake County, and there are few local leaders or organizations that have not benefited from Hal's leadership, generosity, and friendship.

On July 28, Hal is retiring from Consumers Credit Union, where he and his team led efforts to open the door for credit to thousands of people who otherwise would never have thought it possible.

Hal recognized that Consumers could do more for its customers than provide financial services and that they could also play a role in helping improve people's lives in other ways. It was not uncommon to find Hal and his team holding workshops or helping in the library, working to volunteer with organizations and helping them raise much-needed resources for very, very worthy causes.

Mr. Speaker, I am honored to call Hal my friend. He will surely be missed, but there is no doubt that he will continue to help people in our community even in retirement.

Thank you, Hal.

PROVIDING FOR CONSIDERATION OF H.R. 1599, SAFE AND ACCURATE FOOD LABELING ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 1734, IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 369 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 369

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1599) to amend the Federal Food, Drug, and Cosmetic Act

with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-24 modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1734) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part C of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1230

The SPEAKER pro tempore (Mr. LOUDERMILK). The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BYRNE. House Resolution 369 provides a structured rule for consideration of H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015, and H.R. 1599, the Safe and Accurate Food Labeling Act of 2015.

Mr. Speaker, when I am back in southwest Alabama for district travel, I spend a lot of time visiting with small-business owners and holding townhall meetings. At almost every event I hold, someone mentions how regulations are having a negative impact on them, their business, and their employees. These regulations cover everything from energy to health care to tax policy. Too many of my constituents are drowning in red tape, and they are forced to spend too much money and time complying with burdensome regulations.

Now, I get it; a lot of people in Washington think that they know best. These bureaucrats get in a room, and they start scheming on how they can solve all these problems, and our answer is almost always that we need more rules and regulations.

Mr. Speaker, this is entirely the wrong approach. This kind of top-down, Washington knows best strategy is not working, and it is putting a real burden on my constituents in Alabama and people all over the country. That is why this rule allows for the consideration of two bills that are focused on simplifying the regulatory process in two very important areas, energy and agriculture.

Being from Alabama, I know a thing or two about these topics. Anyone who has ever spent time in lower Alabama during July or August knows just how hot it can get, so that means families down there have to spend a pretty penny on their power bills during these summer months.

Well, under the Obama administration's EPA, regulations on the energy sector have skyrocketed. The costs from these regulations are most certainly passed on to the consumer in the form of higher power bills, and the compliance burdens associated with these regulations are making it harder and harder for utilities to deliver reliable power to their customers.

That is why the current enforcement structure of EPA's rule on coal combustion residuals, or CCRs, is so concerning. While most of us were pleased that the EPA decided to regulate CCR as a nonhazardous solid waste, we are left with civil suits in place of commonsense enforcement measures to make sure the industry is complying with EPA standards. This creates uncertainty among industry and a patchwork of interpretations by various courts around the country.

The EPA rule also creates some unintended consequences when it comes to Federal and State jurisdiction. That is why the Improving Coal Combustion Residuals Regulation Act empowers States and allows them to establish permit programs to meet or exceed regulatory requirements set forth in the EPA's final rule.

It only makes sense that each State, with their unique topography and geographic conditions, should be able to set the permitting requirements most appropriate for their conditions in order to meet these EPA standards. In fact, States already govern the disposal of solid and hazardous waste under the Resource Conservation and Recovery Act, or RCRA, and have done so since 1976.

It is important to point out that these regulatory reforms do not change the minimum requirements under the EPA rule, which are designed to protect human health and the environment. This legislation actually codifies these standards and sets them as the baseline for State permitting programs nationwide.

Mr. Speaker, I expect that some of my friends on the other side are going to argue that this legislation, in some way, weakens standards. Let me tell you what will result in weakened standards, allowing different Federal judges from all across the country to decide how the law should be interpreted and how standards should be set, despite the fact that these judges have no real background in regulatory matters regarding these sorts of hazardous wastes, these sorts of wastes at all.

Instead of that flawed system, let's allow States to create their own permitting system, which must comply with the EPA standard. By getting frivolous civil lawsuits out of the way, estimates project that this legislation will protect around 316,000 jobs. If my colleagues on the other side think that

this is a waste of time, then I want them to tell that to these 316,000 families.

H.R. 1734 is a good bill that makes some very sensible reforms that simplify the process for the safe management and disposal of coal ash while providing a realistic enforcement mechanism for existing environmental standards.

The second bill covered by this rule, the Safe and Accurate Food Labeling Act, deals with agriculture. Now, agriculture is the top industry in my home State of Alabama, with over 500,000 jobs. I have heard from a number of farmers who support this bipartisan legislation.

H.R. 1599 will provide much needed clarity and uniformity in the labeling of food products containing genetically engineered plants or ingredients. This commonsense legislation is supported by almost 500 associations and farmers from Hawaii to Maine.

The current regulatory system is a patchwork of State and local regulations, which create unnecessary costs among consumers and food manufacturers without really helping to increase consumer awareness. In fact, a study by Cornell University found that food prices could rise for American families by as much as $500 a year if something isn't changed.

This legislation would streamline the labeling process and create a national, voluntary food labeling standard for products derived from GMOs. By doing so, America's farmers and food manufacturers won't be burdened with inconsistent and costly regulations.

This legislation isn't just good for producers and farmers; it creates a uniform system driven by consumer demand. Under this bill, consumers will be able to easily identify products and make their own decisions about what products are best for them and their families.

Mr. Speaker, these bills are both about reducing the regulatory burden and simplifying the regulatory process. From consumers to small-business owners to rural electric cooperatives to family farmers, people shouldn't have to spend precious time and money figuring out how to comply with regulations.

Instead, here in Congress, we should be focused on getting government out of the way and allowing the American people to actually do their job, and that is what both of these bills do.

This is a fair rule, and I urge its support. The coal ash rule allows for six amendments, all but one of them Democrat amendments. The food labeling rule allows for four amendments, all of them Democrat amendments, including one amendment that is a complete substitute for the bill.

The Rules Committee has worked very hard to make a very fair amendment process, and I believe that is exactly what this bill has done.

I do urge support for this rule.

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

Mr. McGOVERN. Mr. Speaker, I want to thank the gentleman from Alabama (Mr. BYRNE) for the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. McGOVERN asked and was given permission to revise and extend his remarks.)

Mr. McGOVERN. I rise in very strong opposition to this rule, which provides for consideration of H.R. 1599, the so-called Safe and Accurate Food Labeling Act, and H.R. 1734, the Improving Coal Combustion Residuals Regulation Act.

This week, we are back on the floor with our twenty-fourth grab bag rule, one rule that governs debate for two completely unrelated measures. Today, the Republican majority has chosen to group together a bill that undermines an EPA rulemaking designed to protect public health and our environment with a bill designed to make it harder for consumers to know whether or not their food has been produced with genetically engineered ingredients.

Utilizing this kind of rule for two completely separate bills leads to disjointed debate. It limits the time that people have to be able to talk about these issues, but it is a deliberate attempt by the Republican majority to suppress debate. They don't want to bring serious issues to the floor, and they certainly don't want serious debate, and I regret very much that this has become a pattern.

I also oppose this rule because neither bill is an open rule. A lot of Members, I am sure, have a lot of issues they want to raise on both these bills, but they are not going to have that opportunity. The Rules Committee denied a whole bunch of amendments on the GMO labeling bill last night in committee.

I would urge my colleagues on both sides of the aisle to stand up for open debate and an open process and reject this. Send a message to the Republican leadership that enough is enough.

Mr. Speaker, with regard to H.R. 1734, the so-called Improving Coal Combustion Residuals Regulation Act, this bill continues the Republicans' antiscience, antienvironment, antipublic health fight. There is not a week that goes by that we don't have a bill that seeks to try to undermine regulation or rulemaking that is designed to help protect the people of this country.

This bill undercuts EPA's new coal ash rule, putting many communities at risk of exposure. Coal ash is highly toxic and needs to be properly disposed of, and the devastating health effects from exposure to neurotoxins in coal ash—like lead, mercury, and arsenic—are well known.

This bill is just another Republican bill attempting to undermine common sense, health, and safety protection from toxic chemicals. The American people deserve much better. I am glad the White House has issued a veto threat against the bill.

I include the Statement of Administration Policy in the RECORD.

STATEMENT OF ADMINISTRATION POLICY

H.R. 1734—IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

(Rep. McKinley, R–WV, and 44 cosponsors; July 21, 2015)

The Administration strongly opposes H.R. 1734, because it would undermine the protection of public health and the environment provided by the Environmental Protection Agency's (EPA's) December 2014 final rule addressing the risks posed by mismanaged impoundments of coal ash and other coal combustion residuals (CCR). The 2008 failure of a coal ash impoundment in Kingston, Tennessee, and the 2014 coal ash spill into the Dan River in Eden, North Carolina, serve as stark reminders of the need for safe disposal and management of coal ash.

EPA's rule articulates clear and consistent national standards to protect public health and the environment, prevent contamination of drinking water, and minimize the risk of catastrophic failure at coal ash surface impoundments. H.R. 1734 would, however, substantially weaken these protections. For example, the bill would eliminate restrictions on how close coal ash impoundments can be located to drinking water sources. It also would undermine EPA's requirement that unlined impoundments must close or be retrofitted with protective liners if they are leaking and contaminating drinking water. Further, the bill would delay requirements in EPA's final CCR rule, including structural integrity and closure requirements, for which tailored extensions are already available through EPA's rule and through approved Solid Waste Management Plans.

While the Administration supports appropriate State program flexibility, H.R. 1734 would allow States to modify or waive critical protective requirements found in EPA's final CCR rule. Specifically, H.R. 1734 authorizes States to implement permit programs that would not meet a national minimum standard of protection and fails to provide EPA with an opportunity to review and approve State permit programs prior to implementation, departing from the longstanding precedent of previously enacted Federal environmental statutes.

Because it would undercut important national protections provided by EPA's 2014 CCR management and disposal rule, the Administration strongly opposes H.R. 1734. If the President were presented with H.R. 1734 as drafted, his senior advisors would recommend that he veto the bill.

□ 1245

Mr. McGOVERN. Mr. Speaker, I am going to spend most of my time talking about the other bill, which I also strongly oppose, H.R. 1599, which they have titled the Safe and Accurate Food Labeling Act of 2015, one of the most misnamed pieces of legislation that I think we have considered this year.

Mr. Speaker, I believe at the center of the debate about this bill is Americans' fundamental right to know what is in the food they eat and how it is grown. I believe people ought to have the right, plain and simple.

This isn't a debate about the science behind GMOs. That is a separate debate. Yet, whether you love GMOs or hate them, you ought to know if the food that you are feeding your family is made from them.

Mr. Speaker, the Food and Drug Administration requires the labeling of

thousands of ingredients, additives, and processes, many of which have nothing to do with safety or nutrition.

For example, the FDA requires the mandatory labeling of juice when it is from concentrate. Food labels are a simple and a reliable way to tell people what is in their food and how it is made.

Americans have told us loud and clear that they want to know what is in their food. Poll after poll indicates the widespread support for labeling GMOs. A recent poll by the Mellman Group found that 91 percent are in favor of labeling with 81 percent saying they strongly prefer GMO labeling.

The support for labeling cuts across party identification, gender, age—you name it. As well, three States—Vermont, Maine, and Connecticut—have listened to their citizens and have passed laws requiring that GMO foods be labeled, and dozens more are considering similar initiatives, including my home State of Massachusetts.

I understand the concern with 50 different States passing 50 different State labeling laws. I get it. That is why I support mandatory GMO labeling. We need a national standard that eliminates confusion and puts the American people in charge.

Unfortunately, the bill before us only adds to the confusion. It codifies the existing voluntary labeling system for GMO foods that hasn't worked and that hasn't provided consumers the information that they want.

It preempts States from responding to consumer demand and requiring GMO labeling, and it invalidates State laws already in place. It continues to allow foods that contain GMOs to be labeled as ''natural'' despite the fact that 60 percent of Americans believe that ''natural'' means GMO-free.

Mr. Speaker, I have a stack of letters here from a variety of organizations that are opposed to H.R. 1599—the National Farmers Union—representing family farmers and ranchers across the country.

They oppose this bill as well as the Consumers Union, the National Black Farmers, and 125 CEOs and business leaders from Massachusetts and across the country, including Whole Foods Market co-CEO Walter Robb; Chipotle CEO and chairman Steve Ells; Clif Bar, Inc., CEO Kevin Cleary; Newman's Own Organics cofounder Nell Newman; Panera Bread, Inc., CEO Ron Shaich; Patagonia, Inc., CEO Rose Marcario; American Sustainable Business Council CEO and cofounder David Levine; Sweetgreen, Inc., cofounder Nicolas Jammet; chef and founder of the Think Food Group, Jose Andres; Craft Hospitality CEO and well-known chef, Tom Colicchio; and many, many, many others.

The supporters of H.R. 1599 oppose mandatory GMO labeling, claiming that GMO labeling would increase food prices for consumers. This is just simply untrue. I want to read a section of a letter from the CEO of Ben & Jerry's that proves the point:

''As an ice cream company that operates in more than 30 countries, many of which require mandatory GMO labeling, we are not swayed by arguments that mandatory labeling will be expensive. The truth is, we regularly make changes, sometimes big, sometimes small, to our packaging.''

He continues:

''Every year, we make changes to between 25% and 50% of our packaging. Over the last 7 years, we've gone through three full line redesigns. In other words, we have changed the packaging on every single pint in our product line as a matter of normal business. I can tell you unequivocally that changing labels does not require us to raise the price of our products. Lots of things impact the cost a consumer pays for a pint of Ben & Jerry's. Label changes are not one.''

Mr. Speaker, it seems to me that adding a label to indicate that a product contains GMOs ought to be pretty straightforward.

So, to the supporters of H.R. 1599, I would simply ask: What are you afraid of? Why is giving the American people more information about their food such a bad idea?

Perhaps supporters of keeping the American people in the dark believe that, if consumers know that GMOs are in their food, they won't buy it. I don't believe that to be the case. I myself consume GMO foods, as does my family, and we will continue to do so even if there is a label, but that is my choice.

H.R. 1599 really is a Washington-knows-best approach. I mean, this is the epitome of a Washington-knows-best approach. It says, We don't care what people want. We don't care what people think. We politicians in Washington know best.

I am going to tell you something. That is why people hate Congress. That is why people are frustrated with Congress. They don't think we listen.

Let me suggest to my colleagues a radical idea—and brace yourselves because this is a really, really radical idea—give the American people what they want.

I reserve the balance of my time.

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

I was listening to the gentleman's remarks. If he believes that, by codifying the EPA regulation that this bill is undermining the EPA, I just don't follow that reasoning. That is what this bill does.

It takes the EPA regulation and it codifies it. It puts it into statutory law. It sets it as a minimum, and it allows the State regulators who are already regulating solid and hazardous waste to use that as a minimum and to go above it.

Far from undermining the EPA's authority here, far from undermining the effort to get a clean environment for the people of America, this enhances it by putting it into law and allowing the States to go above it if that is what they want to do.

What this bill really does that is new and is different from what the EPA is trying to do is that it takes the enforcement of this away from different Federal courts around the country, and it gives it to the State regulators, who are already providing this regulation in other common areas and who have been since 1976.

I am a lawyer and have practiced in Federal courts. We have many fine Federal district judges around the country, but they are not experts in this area. If you bring a lawsuit in their courts, they and their law clerks will work very hard to make sure that they get it as close to right as they can.

But in not having their experience and their expertise, we are going to get a lot of differences. We are going to get a patchwork. Whereas, if we go to the State regulators, who are doing it now, we are going to get something that makes sense within each of these individual States, given their different geographies and topographies and other things that we should consider. This coal ash bill does not undermine the law. It enhances the law.

Now, on the food labeling law, we had discussion about this in the Rules Committee yesterday. I am a consumer. I go to the store. My wife sends me to the store, and she says to get this, this, this, and this. She does a lot of studying before I do that, but sometimes I have to read the labels.

Now, imagine that I go to a store where I live in Alabama and that I am an hour away from Mississippi and an hour away from Florida. Somebody has got to put a product on store shelves up and down the gulf coast, and they have got to comply with all three States' regulations on what has got to be on the label.

I am going to pick up a can, and there are going to be all of these different disclosure requirements, but they have been put on the same can because they have got to make sure they can market it in all of these States.

I have got to figure out what does all of that mean as opposed to having one common, uniform disclosure. If somebody chooses not to disclose—if a producer of a given food product chooses not to disclose whether or not it contains GMOs—I am going to assume that there are. If I have a problem with GMOs, I am not going to buy it.

Five percent of the consumers in America today won't buy GMOs, and they are pretty educated consumers. What they are going to do is they are going to go into the store and say, ''All right. Who has got GMO labeling and who doesn't? If they don't, I am not buying it.''

If the producers of those foods want to sell something to those customers, they had better start taking advantage of what is happening through this common rule, this uniform rule, across the country to market themselves.

Far from hurting the consumers, this helps the consumers. That is what this

bill has tried so very hard to do, and I think they have done a good job with it.

Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. NEWHOUSE), a member of the Rules Committee and a farmer himself.

Mr. NEWHOUSE. I would like to thank my colleague from Alabama, a member of the Rules Committee, as well as joining Mr. MCGOVERN with whom we share a Rules Committee assignment.

Mr. Speaker, I rise in support of the rule that we are considering as well as the underlying legislation, both bills, but I would like to specifically speak to H.R. 1599, which is, I believe, accurately labeled the Safe and Accurate Food Labeling Act. I think, also, I would like to talk to the positive impacts that it will have on our Nation's food supply.

Many of you may know that, prior to coming to Congress, I was the director of the Washington State Department of Agriculture. Shortly after my time at the WSDA, several groups in my home State of Washington proposed a ballot initiative, I–522, which would have required mandatory labeling of biotech food products or of those using ingredients that had biotech ingredients, also referred to as GMOs.

Now, I opposed I–522 for a couple of reasons but mainly because of the impact that we could see it would have on our farmers and on our ranchers and on our grocers but, more importantly, on our consumers, the families who are making food decisions in the grocery stores, who, in the end, would pay higher food prices as a result of this mandatory labeling law that was being considered.

In our State, we have the Washington Research Council, and it conducted an independent study, showing that the mandatory food labeling of biotech ingredients would cost the average family at least—at a minimum—$450 a year in increased food costs. That is assuming that Washington was the only jurisdiction to create such a law.

Now, if other States and other cities—other localities—decided to follow suit and pass their own laws, such as Seattle or New York or Boston or San Francisco or Oregon, food producers would face an incredible, unworkable patchwork of legal definitions of what a ''GMO'' is and how to label it.

I can only imagine a food producer having to print, say, 100 different labels for its products depending on where they were destined, where they were to be sold, and the liability they would face if, for instance, a box of food labeled for Phoenix ended up in Las Vegas or in Los Angeles or in Salt Lake City.

Many producers are considering stopping or have stopped selling products in the State of Vermont, which is the most recent State to adopt mandatory labeling standards, because of this increased cost, because of the uncertainty and the liability that separate jurisdictions would create.

In my estimation and what the people of my State have said is that what we need is a national voluntary label, much like organic, a label which gives consumers who want to purchase non-GMO foods the freedom to do so, but that will not impose higher costs on producers or consumers.

Mr. Speaker, critics of this bill, H.R. 1599, unfairly claim it will limit the ability of consumers to know what they are purchasing; but let me say that that just simply is not the case, that it is not true.

If you go into a grocery store and want to purchase an organic product, that is something that you are easily able to do, and that is exactly what this bill will do for GMO foods. It will create a similar label.

So make no mistake. If buying non-GMO is important to any of you as a consumer, then you will have every ability to do so when you walk into a grocery store and make your purchase.

You will have the confidence of the United States Department of Agriculture's system of making sure that those labels are consistent from one State to the other; so you will know what you are buying by what that label says.

Mr. Speaker, the Founders of our Nation gave Congress a tool in our Constitution to regulate interstate commerce to prevent the types of legal patchworks and market distortions that we are beginning to see on this issue.

I strongly urge my colleagues to support the rule, to support H.R. 1599, and protect the Nation's access to safe, affordable food.

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

I appreciate the comments from my colleagues from Washington and Alabama. Both serve on the Rules Committee with me, and I respect them; but I do not think they were paying attention to my speech.

I am not arguing here for a patchwork of 50 different rules and regulations with regard to labeling. What I am saying is that what my friends are proposing here, which is voluntary labeling on non-GMO products, should be replaced with mandatory GMO labeling across the country.

That is what people want, and that is what this bill would deny. You are not only preempting States and telling States that they have no role in this debate and you are not only preempting the will of the American people here, but you are setting a standard here so that people will be kept in the dark.

□ 1300

I want uniformity, but I want more information, and this idea that somehow labeling will increase food prices is just baseless; it is baseless. There are plenty of things that increase the prices that we pay at the grocery store—transportation costs and ingredients costs, those all add to the cost—but GMO labeling is not one of them. In study after study, we have seen that a simple GMO disclaimer on food packaging will not increase food prices.

I just read to you the letter from the CEO of Ben & Jerry's. Food companies change their labels all the time to make new claims. All food companies will soon have to change their labels to make important changes to the nutrition fact panel.

Adding a few words on the back of the food package about genetic engineering will not impact the cost of making food. That is just not a real argument; that is just baseless. Let's focus on what this bill really does. It basically keeps the American people in the dark about what is in their food.

I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO), the distinguished ranking member of the Committee on Transportation and Infrastructure.

Mr. DEFAZIO. Mr. Speaker, I have listened with interest to the speakers who preceded me, and the gentleman from Massachusetts is absolutely right. The simple solution is to adopt a uniform national mandatory standard that would give that information on the label. Eighty-eight percent of the American people who regularly are polled say: We would like that information on the label.

It will not add cost any more than printing ''red dye no. 2'' on the label adds cost to the label. It will add no cost. It would have a uniform national standard. You wouldn't have to worry about a proliferation of the States, and then you wouldn't have to contradict yourselves as Republicans when, every day, you are down here screaming about states' rights, and now, when States do something you don't like: Oh, my God, states' rights, out of here.

It is not just the labeling. Yeah, there are three blue States that have labeled, and you don't care if you preempt their laws—got that; but there are a lot of red States and purple States and blue States where the departments of agriculture have recognized the reality of GMO and the potential pollution of conventional non-GMO and organic crops.

We had a little incident in Oregon where all our wheat export was stopped because GMO-modified wheat was found in the middle of a very large conventional farm. Until they could figure out how it got there and how much pollution there might be or cross-contamination of Oregon's huge wheat exports, they were all stopped because 64 countries around the world require this labeling, and somehow, the U.S. conglomerates who make food and export processed food are able to label over there.

I have a Hershey's label from the EU. I will show it tomorrow. It's beautiful. It's got an American flag on it, made in the USA, contains GMOs. They can do it over there, but they can't do it here because it would just drive the price up stratospherically. That seems odd.

In fact, this would help them. If we adopted a national standard here—and the way my bill is written, it would be essentially the same as that required in the European Union and 64 other countries—then they could ship their food to all 50 States, the territories, and 64 countries around the world without having to make any changes. They might save some money then if labels are so expensive.

But, no, we are going to have a meaningless, voluntary label. Even worse, we are going to create a new label. We are going to say that ''natural'' means GMO. When you mate a flounder with a tomato plant—which is what they do, just like hybridizing, flounders, tomato plants, they get together all the time—then that is natural.

Or when you take a salmon and you introduce an eel gene—they mate, cross-breed all the time—well, no, actually, they don't—and the salmon grows twice as fast as normal salmon, then that is natural.

You won't be able to say ''contains GMOs'' if you can say ''natural'' and ''natural'' means contains GMOs, unless they want to voluntarily go on and say: Well, under the new ''natural'' label, I can have GMOs, but I am going to put it is natural, but it contains GMOs.

This has the prospect of causing tremendous chaos with a new, very confusing label for the American consumers.

Back to the cross-contamination—again, this is not just a blue State issue; it is a red State issue. We have huge export markets, and those 64 countries will not accept products that contain GMOs. If you strip out State regulations, how they claim they have fixed the bill, and they don't strip out all the State department of agriculture regulations in some 35 States around the country, many of them very red States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 2 minutes.

Mr. DEFAZIO. Mr. Speaker, they claim to have fixed it, but the language is still a little bit ambiguous. Many people who have read it—experts say no, actually, it looks like we are preempting State department of agriculture on separation and buffer zones and other things to protect conventional farmers, organic farmers from the GMOs.

I had a very simple amendment that would just say this does not preempt any State department of agriculture which has adopted for the purposes of redacting conventional crops, non-GMO, and organic crops for reasonable buffer zones and other sorts of provisions to prevent that cross-contamination. That is wiped out by this bill, in my opinion and the opinion of many other experts. My amendment was not allowed.

I am thankful that I had one amendment allowed which will say, if you are already labeling it in countries all around the world, you have got to label it here. That is good, but preferably, we would have uniform labeling of everything in the 50 States and internationally by just requiring that you disclose that it contains GMOs.

There is another amendment that will be offered tomorrow which will do away with this new ''natural'' standard, ''natural'' meaning mandatorily under Federal law contains GMOs. ''Natural'' can contain GMOs. I think that is pretty disingenuous, and I am not sure who slipped that little beauty in there.

If you want to talk about confusing consumers, ''organic,'' ''natural.'' Whoa, what is the difference between ''natural'' and ''organic''? Well, I like ''natural.'' ''Organic,'' that sounds kind of complicated; I will go with ''natural.'' Oh, that contains GMOs. Well, it doesn't say that. No, it doesn't. It says ''natural.'' ''Natural'' contains GMOs.

If the gentleman is really concerned about consumer confusion, you should support that amendment tomorrow to do away with this new disingenuous label.

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

Mr. Speaker, I wanted to assure my friend from Massachusetts that the gentleman from Washington and I are indeed paying attention to him, as we do in the Committee on Rules. He is a very knowledgeable gentleman and certainly makes very interesting points.

The problem is that, as I listened to you talk, what you were saying, the gentleman says, I think quite eloquently, that we need a national standard, and right now, we don't have a national standard. This bill will provide a national standard.

If you want a national standard, the status quo doesn't get you there. If you want a national standard, this bill gets you there. That is why the bill has been offered. That is why we have this rule today, and that is why it is so important that we have this debate and the debate on the underlying rule, so we can make sure we are all straight about what this bill does and does not do.

This bill does something that is not being done right now. It provides a national standard for GMO. The gentleman, I think, would like for it to be mandatory; the bill calls for it to be voluntary. We can disagree about whether or not that is advisable, but we can't disagree about the fact that there is no national standard now, and this bill provides one.

I want to make sure the gentleman knows, we listened to him. He makes very interesting points that are always educational to us, but we don't agree with his line of thought here. This bill, in our judgment, gets us where I think he is trying to take us to go.

I reserve the balance of my time.

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

Mr. Speaker, I would just simply say to the gentleman, I agree with him that this bill that will be considered tomorrow that this rule will make in order does create a national standard.

The problem is that it is a national standard that keeps consumers in the dark about what is in their food. Many of us would prefer a national standard that kind of shines some light on what is in people's food so that consumers know what they are buying. That is what consumers want.

I will go back to what I said in my opening statement. I know this is a radical idea in this particular Congress, but we ought to try something different. We ought to try giving the American people what they want. On this issue, they want to know what is in their food. They want to know whether their foods contain GMOs.

Again, this is not a debate about whether GMOs are good or bad. As I said before, I eat GMOs; I consume GMOs; my family consumes GMOs. That is not what this debate is about. This is about information, transparency, and giving consumers what they want.

Mr. Speaker, I am going to ask my colleagues to defeat the previous question, and if we do, I will offer an amendment to the rule to bring up H.R. 3064, a comprehensive 6-year surface transportation bill that is partially paid for by restricting U.S. companies from using so-called inversion to shirk their tax obligations.

I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the distinguished ranking member of the Committee on Budget, to discuss this proposal.

Mr. VAN HOLLEN. Mr. Speaker, I do just want to take a break from the GMO debate to talk about a huge problem confronting our country, and that is the infrastructure that is in disrepair, from roads to bridges to transit ways around this country.

The American people know it, and they are backed up in what they can see in front of them by a report from the American Society of Civil Engineers. They are the nonpartisan pros; they are the experts.

They have looked at the state of American infrastructure and given us a grade of a D-plus—D-plus. Nobody should be happy with a D-plus. The sad thing is that this Congress should get an F grade for failing to respond to the bad grade with respect to our failing infrastructure.

In the face of this big problem, what did the House do? Well, we are about to run out of money in 8 days. We are about to see the end of the authorization in 8 days; so the House of Representatives, instead of coming up with

a long-term plan to address this issue, which is what we should do, came up with another kick-the-can-down-the-road Band-Aid approach. They said, we are going to provide an extension of the inadequate funding for just 5 more months, just to December of this year.

Now, we are a great country, and I think everybody knows that if you are planning to make major investments in infrastructure, whether it is our roads or our bridges or transit ways, you need a little more certainty and stability than that.

Certainly, the private sector couldn't plan on 5-month intervals, and we are asking these companies and these workers and these States to come up with long-term plans for our States and for our country on infrastructure, but we are only going to give them 5 months of certainty going forward. We think that is a bad idea. Guess what. Senate Republicans also think that is a bad idea. They came up with a 6-year plan.

Now, what we are providing this House today is the opportunity on the very next vote to vote for the opportunity to vote on a robust 6-year transportation infrastructure plan that is fully funded for the first 2 years.

How do we pay for that 2-year installment? We pay for it, Mr. Speaker, by getting rid of this egregious tax loophole that many multinational corporations are using to escape their responsibilities to the American taxpayer.

Here is how it works. You have an American company. Their headquarters are here; their people are here; everything they do is here. Then they go and they purchase a small company, a small foreign company, and they move their mailing address overseas to that small company, and then that American company benefits from the educational system we have here in the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McGOVERN. I yield the gentleman an additional 1 minute.

Mr. VAN HOLLEN. Mr. Speaker, they purchase a small foreign company, and then they move their mailing address overseas to that small company. They then say to the American taxpayer: Guess what. We don't have to pay any more taxes in the United States. We don't have to pay taxes for the infrastructure that we have that does support us. We don't have to pay for the education system that supports us. We want a free ride.

Now, we need to close down this tax break. More and more companies every day are taking advantage of it.

□ 1315

If you close that loophole, you generate $40 billion. And you use that money that otherwise would go to the bottom line of these corporations that are trying to escape their responsibility to the American people and you invest it in infrastructure right here at home. You help modernize your infrastructure, and you put more people to work.

We have introduced a piece of legislation, Mr. Speaker, to do that. The bill is H.R. 3064. And if we defeat the previous question, we as a House will have an opportunity to vote on a 6-year, robust transportation plan that is funded for 2 years by closing this egregious tax loophole that is being exploited by corporations.

Let's defeat the previous question. Let's do the right thing for American workers and American infrastructure.

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

Mr. Speaker, I appreciate the points of the gentleman from Maryland. I, too, would like to see a 6-year highway bill. If you come to my district and see Interstate 10 going through Mobile at rush hour, on a holiday weekend, or on a summer weekend, you will see cars backed up just about every direction. We need another I–10 bridge across the Mobile River. We can't do that with a short-term highway bill.

So I strongly support what you are trying to accomplish—maybe not exactly how you are trying to get there, but I certainly support the concept there.

Here is the problem, though. Your idea, whatever it is, hasn't been vetted through committee. You are just going to put it up here in place of whatever we have got, and there really won't be an adequate opportunity for the Members of this House to understand all the details, and the details are going to matter.

Also, I was listening to the gentleman from Massachusetts in his initial statement talk about how inappropriate it is that we put two different bills on two different topics under one rule, and now we are going to interject transportation. Well, if agriculture and energy are confusing, if we add transportation, it is going to be further confusing.

So as much as I appreciate the idea that the gentleman from Maryland has—perhaps not the specifics, but the idea—this is not the appropriate place, and this is certainly not the appropriate rule for us to be discussing it.

When the time comes to be appropriate, I will actually move the previous question, but I will also ask all of my colleagues to support the previous question when I do so. I believe that is the appropriate way for this House to handle a matter of this magnitude, and it is a matter of great magnitude.

I reserve the balance of my time.

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

Before I close, I will insert in the RECORD a letter from the National Farmers Union supporting mandatory GMO labeling and opposed to H.R. 1599; a letter from Dr. John W. Boyd, Jr., the Founder and President of the National Black Farmers Association; a letter from Ben Burkett, the Executive Director of the National Family Farm Coalition, opposed to H.R. 1599; a letter from the Consumers Union opposed to H.R. 1599; a letter from Jostein Solheim, the CEO of Ben & Jerry's, opposed to the underlying bill; a letter from Tom Colicchio on behalf of the Food Policy Action group, opposed to H.R. 1599; a letter from Scott Faber, Senior Vice President for Governmental Affairs at EWG, opposed to H.R. 1599; a letter from the Consumer Federation of America opposed to H.R. 1599 and in support of mandatory GMO labeling; a letter from the CEO of National Co+op Grocers, opposed to the bill; and a letter from a group called Just Label It, signed by a whole bunch of people opposed to the bill and for mandatory GMO labeling.

[From the National Farmers Union, July 21, 2015]

NFU REITERATES SUPPORT FOR MANDATORY GMO LABELING, OPPOSES POMPEO BILL BUT NOTES PROGRESS

WASHINGTON.—In light of the U.S. House of Representatives' consideration of the Safe and Accurate Food Labeling Act (H.R. 1599), National Farmers Union (NFU) President Roger Johnson again highlighted NFU policy on Genetically Modified Organism (GMO) labeling. The policy supports conspicuous, mandatory, uniform and federal labeling for food products throughout the processing chain to include all ingredients, additives and processes, including genetically altered or engineered food products.

''NFU appreciates efforts by Representatives Pompeo, R-Kansas, and Davis, R-Illinois, to reduce consumer confusion and standardize a GMO label;'' said Johnson. ''The bill passed out of committee makes significant improvements over previous versions of this bill. Absent a mandatory labeling framework, however, NFU cannot support this bill.''

Johnson noted that the bill has changed several times from the one introduced during the last Congress. Improvements include additional authority for the U.S. Department of Agriculture (USDA), a labeling framework that if utilized could reduce consumer confusion, greater emphasis on the Food and Drug Administration's role in safety reviews, and a GMO label that works in conjunction with USDA's organic seal instead of counter to it.

''Consumers increasingly want to know more information about their food, and producers want to share that information with them,'' said Johnson. ''It is time to find common ground that includes some form of mandatory disclosure for the benefit of all aspects of the value chain, but this bill is not that common ground.''

JULY 15, 2015.

Hon. JOHN BOEHNER,
Office of the Speaker of the House.
Hon. NANCY PELOSI,
Office of the Democratic Leader.
Re ''Safe and Accurate Food Labeling Act,'' H.R. 1599

DEAR SPEAKER BOEHNER AND LEADER PELOSI: The National Black Farmers Association (NBFA), a non-profit organization representing African American farmers and their families with tens of thousands of members nationwide, urge you to oppose the ''Safe and Accurate Food Labeling Act'' (also known as the ''Deny Americans the Right to Know (DARK) Act'').

NBFA strongly supports mandatory labeling of genetically engineered foods (commonly called ''GMOs''). But in spite of its name, the ''Safe and Accurate Food Labeling

Act'' undermines farmworker safety and labeling by:

Preempting states from regulating GMO crops to protect farmworker health, public health, and the environment;

Codifying the current, broken voluntary labeling system;

Allowing ''natural'' foods to contain GMO ingredients and preempt state efforts to end misleading ''natural'' claims; and

Virtually eliminating FDA's ability to craft a national GMO labeling system.

While NBFA does not object to farmers growing GMO crops per se, we are aware of the increased use of toxic weed killers associated with herbicide-tolerant GMO crops. As farmers, NBFA members know firsthand that consumers are demanding more information about the food they feed their families—not less.

NBFA stands with the vast majority of Americans who are in favor of labeling GMOs. Because the ''Safe and Accurate Food Labeling Act'' does not require GMO labels, we urge you to oppose the bill.

Sincerely,

DR. JOHN W. BOYD, JR.,
Founder and President,
National Black Farmers Association.

NATIONAL FAMILY FARM COALITION,
Washington, DC, July 21, 2015.

DEAR REPRESENTATIVE, On behalf of the family farmers, ranchers and fishermen we represent, the National Family Farm Coalition (NFFC) urges you to oppose H.R. 1599, the Safe and Accurate Food Labeling Act. H.R. 1599 proponents claim it would establish a national standard for labeling products containing GMOs. In reality, this bill fails to provide more accurate labeling and significantly curtails the ability of state, local and municipal governments to protect their constituents.

H.R. 1599 would establish a voluntary national standard that companies could use to label their products as GMO-free, but FDA guidelines have provided this option for companies since 2001. An overwhelming 88 percent of consumers favor required labeling of food products containing GMOs in a Mellman Group study, but H.R. 1599's voluntary program would also allow companies to label products containing GMOs as 'natural', which is vague and misleading to consumers.

H.R. 1599 would invalidate dozens of state and local laws across the nation. The GMO labeling laws that citizens and legislators worked for diligently in Vermont, Maine and Connecticut would be preempted. Furthermore, H.R. 1599 would block laws creating buffer zones around schools and hospitals to protect children and patients from pesticide exposure, as in Hawaii.

For non-GMO farmers, H.R. 1599 would be disastrous as it would preempt laws designed to protect them from GMO contamination of their fields. Farmers have already suffered through the contamination of wheat, rice and other crops, having lost export dollars to Asian markets that demand non-GMO varieties. Without strong regulations and oversight, farmers' crops and livelihoods are at risk in ways that they, their families and their communities cannot afford.

Striking down the laws around food and food production that a broad array of citizens and officials have worked to enact undermines the democratic processes guaranteed by our constitution. The NFFC asks you to oppose H.R. 1599, thereby preserving the rights of people to know what they are growing and consuming.

Sincerely,

BEN BURKETT,
NFFC Executive Board President.

CONSUMERSUNION®,
Washington, DC, July 21, 2015.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: Consumers Union, the policy and advocacy arm of Consumer Reports, strongly urges you to vote no on H.R. 1599, introduced by Representative Pompeo, which we understand the House will consider this week. The bill would very broadly preempt state laws relating to genetically engineered (GE) food and crops, and ban any level of government from requiring GE food to be labeled as such.

Consumers Union supports mandatory labeling of GE food, and opposes H.R. 1599, for several reasons. First, consumers want labeling. Polls, including our own, show that more than 90% of consumers want GE food to be labeled accordingly. Yet H.R. 1599 would codify current prevailing federal policy, in which any labeling of GE food must be the voluntary choice of the food producer—a policy which has only generated confusion. The Food and Drug Administration (FDA) adopted this policy 15 years ago, and today there is not a single food product on the market that carries a label indicating it contains GE ingredients.

Second, there are numerous precedents for mandatory labeling. FDA already requires labeling of food if it is homogenized, frozen, or made from concentrate. Some 64 countries, including most of our major trading partners, require labeling of GE food.

Third, states have begun to act on the clear requests of their citizens for information on whether the food they buy contains GE ingredients. Vermont, Maine, and Connecticut have passed legislation requiring labeling of food from GE plants. Other states, including New York, New Jersey, Pennsylvania, Massachusetts, and Illinois, have considered bills. Whether enacted by state legislatures or approved by voters, the ability of states to act democratically to carry out the wishes of their citizens on GE food labeling should not be impeded by Congress.

Fourth, H.R. 1599 would permit the use of ''natural'' claims on the labels of GE food until FDA finalizes a rule defining ''natural'' and decides whether it will continue to allow this practice. The bill would also prohibit states from taking their own steps to regulate the use of these claims. Polling by Consumer Reports has found that more than 60% of consumers are misled, in that they already believe a ''natural'' label on a product means it does not contain genetically modified ingredients. Fully 85% of consumers think that a ''natural'' label on packaged or processed foods should mean no genetically modified ingredients were used. Yet Consumer Reports testing last year identified five food products labeled ''natural'' that actually did contain such ingredients. By allowing foods labeled as ''natural'' to contain GE ingredients, H.R 1599 would authorize a deceptive practice that is highly inconsistent with consumer expectations.

Fifth, mandatory GE food labeling would not be expensive. An analysis commissioned by Consumers Union and conducted by an independent economic research firm found from a review of published research that the median cost of requiring GE food labeling is $2.30 per person annually—less than a penny a day for each consumer. This figure takes into account one-time implementation expenses, so the actual cost per person could be even lower.

Finally, H.R. 1599 goes beyond the question of labeling to explicitly prohibit state or local requirements related to the use of GE plants for food in interstate commerce. Restrictions on growing such crops in California, Oregon, Washington, and Hawaii would likely be severely restricted or invalidated. These measures were adopted for a variety of reasons, including to prevent the contamination of specialty crops destined for export, protect against invasive species, and limit the use of toxic pesticides, such as glyphosate, which many GE crops have been engineered to tolerate and which was recently classified by the World Health Organization's cancer research arm as probably carcinogenic to humans.

We therefore strongly urge you to vote no on H.R. 1599, which is contrary to what consumers want, and which would profoundly interfere with the ability of state and local governments to respond to the needs of their citizens.

Sincerely,

JEAN HALLORAN,
Director, Food Policy Initiatives, Consumers Union.
URVASHI RANGAN,
Director, Consumer Safety and Sustainability, Consumer Reports.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: I write on behalf of Ben & Jerry's to urge you to oppose H.R. 1599, the Safe and Accurate Food Labeling Act of 2015, otherwise known as the DARK Act.

As you know, national public opinion polling shows that more than 90% of Americans want to know whether the products they purchase contain genetically engineered ingredients (GMOs). Just like labels that require disclosure of farm-raised salmon or orange juice from concentrate, mandatory labeling of GMO food will provide consumers the information they need to make choices for themselves and their families. Only mandatory GMO labeling will ensure that American consumers have the same right to know what's in the food as citizens in 64 other countries around the world, including many where Ben & Jerry's operates. H.R. 1599, with its voluntary framework for labeling products without GMOs, will only enhance confusion in the marketplace.

As a Vermont-based company, we are particularly troubled that H.R. 1599 would preempt Vermont's Act 120, which beginning in July of 2016, will require labeling of food products with GMO ingredients sold in Vermont. As a food company doing business in all 50 states, we'd prefer a national standard for mandatory GMO labeling, but absent that, we support states like Vermont passing legislation that ensures transparency and consumers' right to know.

As an ice cream company that operates in more than 30 countries, many of which require mandatory GMO labeling, we are not swayed by arguments that mandatory labeling will be expensive. The truth is, we regularly make changes, sometimes big, sometimes small to our packaging. Every year, we make changes to between 25% and 50% of our packaging. Over the last 7 years, we've gone through three full line redesigns. In other words, we have changed the packaging on every single pint in our product line as a matter of normal business. I can tell you unequivocally that changing labels does not require us raise the price of our products. Lots of things impact the cost a consumer pays for a pint of Ben & Jerry's. Label changes are not one.

I'd be more than happy to discuss this issue and how it would impact a large international food company like ours in more detail with you or your staff. I urge you to stand with the more than 90% of Americans

that support transparency in our food system by opposing H.R. 1599.

All the best,

JOSTEIN SOLHEIM,
CEO, Ben & Jerry's.

FOOD POLICY ACTION,
Washington, DC, July 16, 2015.

DEAR REPRESENTATIVE: I urge you to oppose H.R. 1599, legislation designed to block state and federal GMO labeling laws and to weaken regulation of GMO crops.

As a chef, I want to know what I am feeding my customers. And, my customers want to know what's in their food and how it's grown.

So, I am shocked that some legislators in Washington are trying to deny consumers this basic right.

Next week, legislators in the U.S. House of Representatives will consider H.R. 1599, legislation that would block states from requiring GMO labels and that would make it virtually impossible for FDA to craft a national GMO labeling system.

But that's not all. H.R. 1599 would also block states from regulating GMO crops to protect farmers and public health.

Nine out of ten consumers tell us they want the right to know whether their food contains GMOs—just like consumers in 64 other nations. But, H.R. 1599 would deny them this right.

Congress should be leading efforts to give consumers more information about what's in their food and how it's grown, not less.

I urge you to oppose H.R. 1599.

Sincerely,

TOM COLICCHIO.

EWG,
Washington, DC, July 20, 2015.

DEAR REPRESENTATIVE: EWG strongly opposes H.R. 1599, the so-called ''Safe and Accurate Food Labeling Act of 2015.'' We urge you to vote NO.

Consumers have the right to know what is in their food and how it is grown. H.R. 1599 would deny consumers this basic right by preempting state GMO labeling laws, virtually eliminating the ability of the Food and Drug Administration to craft a national mandatory GMO labeling system, by enshrining a voluntary GMO labeling system that has failed consumers, and by allowing ''natural'' claims on GMO foods.

Nine out of ten consumers want the right to know whether their food has been produced with genetically modified food ingredients—just like consumers in 64 other nations. GMO labeling has not increased food prices in other nations, and studies show that a modest GMO disclosure on the back of food packages will have no impact on food prices or food security needs.

In addition, H.R. 1599 would preempt state and local GMO crop regulations designed to protect farmers from economic harms caused by GMO crops. More than 40 states and counties have adopted rules designed to protect farmers and rural residents from the impacts of GMO crops.

Consumers should have the right to know what it's their food and how it's grown. We urge you to vote NO on H.R. 1599.

Sincerely,

SCOTT FABER,
Senior Vice President for Government Affairs, EWG.

CONSUMER FEDERATION OF AMERICA,
Washington, DC, July 20, 2015.

DEAR MEMBER OF CONGRESS: On behalf of Consumer Federation of America (CFA), I urge you to vote in opposition to the Safe and Accurate Food Labeling Act of 2015 (H.R. 1599) when it comes up for a full floor vote. CFA is an association of 250 nonprofit consumer organizations across the country that was established in 1968 to advance the consumer interest through research, advocacy and education.

Contrary to its name, the Safe and Accurate Food Labeling Act is not an appropriate solution to labeling genetically modified organisms (GMOs). Instead, the Act would codify the current voluntary system which has not provided consumers the information they want to know. It would pre-empt state GMO labeling laws passed to provide their constituents with accurate information about their food. The Act would also create consumer confusion in the marketplace by allowing food companies to continue making ''natural'' claims on products containing GMO foods.

More and more, American consumers want information about the food they feed to their families. American consumers have a right to know what is in their food, just like consumers in 64 countries who already have the right to know whether their food contains GMOs. Voluntary labeling, as proposed in the Act, is not effective because it does not provide consistent information to consumers. Instead, consumers get information only from some companies who choose to provide it and not from other companies. A better solution is the GE Food Right to Know Act introduced by Senator Boxer and Representative DeFazio, which would require GMO foods to be labeled, providing consumers with the consistent information they deserve.

I urge you to oppose the Safe and Accurate Food Labeling Act of 2015 (H.R. 1599) when it comes up for a full floor vote.

Thank you for your consideration.

Sincerely,

CHRIS WALDROP.

NATIONAL CO+OP GROCERS,
Iowa City, IA, July 17, 2015.

DEAR REPRESENTATIVE: National Co+op Grocers (NCG) supports consumers' right to information, including sufficient product labeling, so that people can make their own informed purchasing decisions. We strongly oppose The Safe and Accurate Food Labeling Act (H.R. 1599) because it:

1. Lacks transparency. H.R. 1599 merely codifies the status quo of voluntary labeling. In the 14 years since the FDA has allowed companies to voluntarily label foods that have been produced using genetic engineering, no single company has labeled them as such. Only mandatory labeling fulfills consumer demand for transparency regarding GMOs.

2. Undermines public will. Multiple surveys have shown that the majority of Americans, regardless of age, income, education, or party affiliation, want GMO foods to be labeled. H.R. 1599 nullifies GMO labeling laws that are already on the books in Vermont, Connecticut and Maine. Furthermore, the bill preempts states by blocking any future state legislation or ballot initiatives that would require GMO labeling. While NCG favors a national solution, we support states' efforts in the absence of federally regulated mandatory labeling.

3. Heightens consumer confusion. Newly inserted language would allow food companies to continue to make ''natural'' claims on foods produced using genetic engineering and would also block state efforts to protect consumers from misleading ''natural'' claims. Because many consumers believe that ''natural'' foods are produced without genetically engineered ingredients, H.R. 1599 would only perpetuate consumer confusion in the marketplace.

NCG is a business services cooperative for retail food co-ops located throughout the United States. We represent 143 food co-ops operating over 195 stores in 38 states with combined annual sales of over $1.7 billion and over 1.3 million consumer-owners. We urge Congress to reject H.R. 1599.

Thank you for your time and consideration of this issue.

Sincerely,

ROBYNN SHRADER,
National Co+op Grocers CEO.

JUST LABEL IT!,
Washington, DC, July 20, 2015.

DEAR REPRESENTATIVE: We urge you to oppose H.R. 1599, which would deny Americans the right to know whether their food contains genetically modified food ingredients.

National polls show that nine out of ten Americans want the right know if their food contains GMOs. Regardless of age, income, education level or even party affiliation, Americans want the right to know what is in their food and how it was produced—the same right held by citizens in 64 other nations.

As business leaders, we hope that you will reject H.R. 1599 and instead require food companies to label products that contain GMOs.

If enacted, H.R. 1599 would limit the FDA's ability to create a national GMO labeling system, weaken our broken voluntary labeling system, and block state initiatives to give citizens this basic information about their food.

Congress has long recognized that Americans should be given basic information about their food and trusted to make the right choices for their families.

We urge you to honor this longstanding tradition and to reject H.R. 1599.

Sincerely,

Andrew Abraham, Founder and CEO, Orgain Inc., CA; José Andrés, Chef and Founder, Think Food Group, DC; Summer Auerbach, Second Generation Owner, Rainbow Blossom Natural Food Markets, KY; Dan Barber, Chef/Co-Owner, Blue Hill at Stone Barns, NY; Brandon Barnholt, President and CEO, KeHE Distributors LLC, IL; Fedele Bauccio, CEO, Bon Appétit Management, CA; Rick Bayless, Chef/Owner, Frontera Grill, IL; Andy and Rachel Berliner, Co-Founders, Amy's Kitchen, CA; Trudy Bialic, Director, Public Affairs, PCC Natural Markets, WA; Mitch Blumenthal, Founder, Global Organic Specialty Source Inc, FL.

Marco Borges, CEO, 22 Days Nutrition, FL; Doug Brent, CEO, Made in Nature LLC, CO; Clifford Brett Jr., CEO/Owner, Kimberton Whole Foods, PA; Peter and Janie Brodhead, Owners, Brighter Day Natural Foods Market, GA; David Bronner, CEO, Dr. Bronner's Inc., CA; Michael Branner, Founder and Chairman, UNREAL Inc., MA; Jonas Buehl, Owner, The Crunchy Grocer, CO; Jon Cadoux, Founder/CEO, Peak Organic Brewing Company, ME; Yvonne Chamberlain, Owner, The Market @ Tree of Life Center, TN; Kevin Cleary, CEO, Clif Bar & Company, CA.

Morty Cohen, CEO, Falcon Trading Company, CA; Tom Colicchio, CEO, Craft Hospitality, NY; Kerry Collins, CEO, Applegate Inc., NJ; Kit Crawford, Co-Owner, Clif Bar & Company, CA; Nicole Dawes, President, COO, Late July Organics, MA; Joel Dee, President, Edward & Sons Trading Company, CA; Valerie Deptula, President, The Good Earth Natural Foods Co., MD; Steve Diakowsky, President and CEO, Taste of Nature Foods Inc., CA; Norman Dill, Owner/President, Rebecca's Natural Food, VA; Adnan Durrani, CEO, Saffron Road Inc., CT.

Steve Ells, Chairman and CEO, Chipotle, CO; Shane Emmett, CEO, Health Warrior, VA; Gary Erickson, Co-Owner and Founder, Clif Bar & Company, CA; Susie Farbin, Co-Owner, Mama Jean's Natural Market, MO;

Jerry Farrell, Owner/President, Rising Tide Natural Market, NY; Mark Fergusson, Chief Executive Officer, Down to Earth Organic & Natural, HI; Mike Ferry, President, Horizon Organic, CO; John Foraker, CEO, Annie's Inc., CA; Leonard Freeke, CEO and Founder, The Veri Soda Company, NY; Michael Funk, Co-Founder and Chairman, United Natural Foods Inc., RI.

Robert Gerner, President, The Natural Grocery Company, CA; Diane Gibb-Lahodny, Owner, Campbell's Nutrition, IA; Neal Gottlieb, CEO, Three Twins Ice Cream, CA; Gail Graham, General Manager, Mississippi Market Natural Foods Coop, MN; Jerry Greenfield, Co-Founder, Ben & Jerry's Inc., VT; Hitesh Hajarnavis, Founder, esSVee, Life, NJ; Kristi Harwell, Owner/CEO, New Leaf Community Market, CA; Ben Henderson, Owner, Bare Essentials Natural Market, NC; Belinda Higuera, CEO, Berryvale Grocery, CA; Gary Hirshberg, Chairman, Stonyfield Farm Inc., NH; Roland Hoch, Vice President, Global Organics Ltd., MA.

Janie Hoffman, CEO and Founder, Mamma Chia, CA; Stephanie Hong, CEO, Real Food Company, CA; Steve Hughes, Founder and CEO, Boulder Brands Inc., CO; Cheryl Hughes, Owner, The Whole Wheatery, CA; Nicolas Jammet, Co-Founder, Sweetgreen Inc., DC; Mindee Jeffery, Product & Standards Analyst, Good Earth Natural Foods, CA; Blair Kellison, CEO, Traditional Medicinals, CA; Rosanne Kiely, Owner, West Village Market & Deli, NC; Ashley Koff, CEO, Ashley Koff RD LLC, DC; Jesse LaFlamme, CEO, Pete and Gerry's Organic Eggs, NH.

Donna Layburn, President, Alameda Natural Grocery, CA; Lanis LeBaron, Owner, Lupines Natural Foods, CA; David Levine, Co-Founder and CEO, American Sustainable Business Council, DC; Grant Lundberg, CEO, Lundberg Family Farms Inc., CA; Susan and Maury Lyon, Owners, Cornucopia Natural Food & Fine Cheese, IL; Rose Marcario, CEO, Patagonia Inc., CA; Matt McLean, Founder and CEO, Uncle Matt's Organic, FL; Danny Meyer, CEO, Union Square Hospitality Group, NY; Paku Misra, Owner/CEO, Sunflower Natural Foods Market, NY; Sam Mogannam, Founder and President, Bi-Rite Market, CA.

Marie Montemurro, Owner, Lovey's Natural Foods and Cafe, NC; Rod Moyer, Co-Founder, Beverage Innovations Inc., FL; Dean Nelson, President, Dean's Natural Food Markets, NJ; Nell Newman, Co-Founder, Newman's Own Organics, CT; Ted Niehaus, Owner/CEO, Naturally Organic, IL; Michel Nischan, President/CEO, Wholesome Wave, CT; Bu Nygrens, Co-Founder and Director of Purchasing, Veritable Vegetable, CA; Doug Obenhaus, Grocery Manager, Royal River Natural Foods, ME; Gwyneth Paltrow, Founder and CCO, goop.com, CA; Nick Pascoe, Owner/President Bear Foods Natural Market & Café-Cr êperie, WA; John Pittari Jr., President, Proprietor, New Morning Market, CT.

Mark Polson, Owner/CEO, Polson's Natural Foods, IL; Michael Potter, Chairman and President, Eden Foods, MI; Angela Reusing, Chef-Owner, Lantern, NC; Douglas Riboud, Co-Founder and Co-CEO, Harmless Harvest, CA; Evan Richards, Founder, Rejuvenative Foods, CA; Walter Robb, Co-CEO, Whole Foods Market, TX; Maria Rodale, CEO, Rodale Press, PA; Edouard Rollet, Co-Founder, Alter Eco Foods, CA; Layne Rolston, Communications Director, Good Food Store, MT.

Scott Roseman, Founder and CEO, New Leaf Community Markets, CA; Bob Scaman, President, Goodness Greeness, IL; Mark Schoninger, Owner, Bath Natural Market ME; Erin Schrode, Co-Founder and Spokeswoman, Turning Green, CA; Mathieu Senard, Co-Founder, Alter Eco Foods, CA; Ron Shaich, CEO, Panera Bread Inc., MA; Alan Shepherd, Owner, Rocket Market, WA; Corinne Shindelar, CEO, Independent Natural Food Retailers Association, MN; Ron Sjoquist, General Manager, Good Harvest Market, WI.

Robynn Shrader, CEO, National Co+op Grocers, IA; Craig Sieben, President, Sieben Energy Associates, IL; George Siemon, CEO, Organic Valley, WI; Irwin D. Simon, Founder, Chairman, President and CEO, The Hain Celestial Group Inc., NY; Jim Slama, President Family Farmed, IL; Joel Solomon, CEO, Joel Solomon Company, TN; Jimbo Someck, President, Jimbo's Naturally, CA; Tom Spier, CEO, Boulder Food Group, CO; Steve Spinner, CEO, United Natural Foods Inc., RI; Mark Squire, President and CEO, Good Earth Natural Foods, CA; Adam and Debra Stark, Owners, Debra's Natural Gourmet, MA; Arran Stephens, Co-Founder and CEO, Nature's Path Foods, WA.

Bobby Sullivan, General Manager, French Broad Food Co-op, NC; Kelly Swette, CEO, Sweet Earth Natural Foods, CA; Sam Talbot, Founding Executive Chef, The Surf Lodge, NY; Shazi Visram, Founder/CEO, Happy Family Brands, NY; Dennis Wagner, President, Rainbow Grocery Cooperative Inc., CA; Laughing Water, Owner, Real Food Market & Deli, MT; Bill Weiland, President and CEO, Presence Marketing, IL; Cindy Weinfurter, Owner, The Free Market, WI; Tim Westwell, CEO, Pukka Herbs Inc., DE; Bill Whyte, CEO and Founder, W.S. Badger Company Inc., NH; Stephen Williamson, CEO, Forager Project CA; John Wood II, Owner, The Green Grocer, RI; Alex Young, Zingerman's Roadhouse, MI.

Mr. MCGOVERN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 7½ minutes remaining.

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

First of all, I oppose the rule because it is not an open rule. A number of amendments were not made in order. Again, it is kind of a hodgepodge, grab-bag rule where we are dealing with multiple issues that are not related. We have to end this practice. Voting against this rule is one way to demonstrate your dissatisfaction.

But let me close talking about H.R. 1599 and basically urge my colleagues to be opposed to this bill. The fact of the matter is, as a parent—and I think I speak for all parents—I think we want to know what is in the food that we are feeding our family. That is why I support mandatory GMO labeling. Not 50 different labels of 50 different States, but mandatory, standardized GMO labeling.

Americans want to know what is in their food. American consumers want the same right as consumers in 64 other countries who already have the right to know whether their food contains GMOs. Why we should not have that same right is beyond me, but I guess Washington knows best.

Support for GMO labeling crosses demographic boundaries. Polls show more than 90 percent of Americans want the right to know, regardless of age, income, education, or party affiliation. Millions of Americans have taken action. More than 1.4 million Americans have joined a petition to FDA demanding the right to know what is in their food.

H.R. 1599, which has been dubbed the ''Dark Act,'' will basically block State GMO labeling laws. This will preempt GMO labeling laws that have already been passed in Vermont, Maine, and Connecticut, and pending in 17 other State legislatures.

This bill also will allow the bogus natural claims to continue. It allows food companies to continue to make natural claims on GMO foods and block the State efforts to protect consumers from this misleading natural claim. As I pointed out, when consumers see a product that says ''natural,'' they think it means no GMOs.

Mr. Speaker, I have heard my colleagues say that GMOs are safe and why is this labeling necessary. This debate is not about the safety of GMOs. As I mentioned before and I will mention again, I consume GMOs, my family does. This is about consumers' right to know what is in the food they put on their tables. We ought to give them that right.

This debate isn't about what the label should say. We can work on the label. We aren't proposing a skull and crossbones on the packaging. It is not a warning to consumers. It is a label simply disclosing the presence of GMOs. Consumers are free to use this information as they wish, but those who want to know should be able to know.

We had a fight about mandatory uniform nutrition labels in the 1980s, and I think there is no doubt consumers are better off for it. People are better served by knowing the nutrition information in their foods.

Why do my friends want to keep Americans in the dark? I would just say people who are listening to this debate ought to call their Representatives and tell them that they want more information, not less. They want to be more informed about what they are purchasing for their families.

This shouldn't be a controversial idea. This shouldn't be a radical idea. Let's give the people what they want. Let's do that for a change. Maybe our approval ratings will go up.

Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question and ''no'' on the rule, and I yield back the balance of my time.

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

I appreciate the gentleman from Massachusetts' interest in this very important topic.

We said it several times. I am going to say it again. What this bill does is provides a national label where there is no label now at the national level; and we believe so strongly in that, that we put forward this bill. Our side put forward this bill to give us a national label because there is none now. There is zero, and you would be, as a consumer, totally depending upon your local government, your State government, coming up with it. You may find that your government at the local level has one thing, your State government

at the State level has another, a community down the road has a different one. The idea behind the uniformity is to give consumers a uniform way of understanding what this information is.

I do wonder, by the way, what some people at home may be thinking when they hear all this talk about GMOs. They may be running to the refrigerator and saying, What is this GMO stuff?

The truth of the matter is we all are probably consuming GMOs, because they have actually been a tremendous benefit not just to the agricultural industry, but to us consumers. It gives us so many different varieties of good quality food that we didn't have before.

So this is not about whether GMOs are a good thing or a bad thing. They are about our side providing a vehicle to give a national labeling system today, where there is none today. I think the consumers of America will appreciate the fact that we did that.

I do want to go back and say one last thing about the coal ash bill. There has been a lot of talk about somehow this bill weakening the EPA regulation. Totally to the contrary, this bill codifies the regulation in statutory law. Whereas under the present regime at the EPA they are not going to do any oversight over how it is going to be implemented, they are going to rely upon people to file lawsuits in various Federal courts around the Nation, this bill provides that State regulators who are already doing this for the most part will be the ones to provide that regulation with their substantial expertise and experience, which, I can tell you from my years of practicing law in Federal courts, the vast majority of our Federal judges don't have that. They will do their jobs. They will do their homework. Their law clerks will work with them, but they won't bring to it what these State regulators have.

So we have substantially enhanced the regulation here. We have substantially enhanced its implementation by having this bill before the House and the House adopting it.

As they consider these two bills, I would urge everyone to understand that what we have offered in these bills is good for consumers and it is good for the economy of the United States because it lessens that regulatory burden I have talked about at the beginning.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 369 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3064) to authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3064.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BYRNE. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 369, if ordered; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 239, nays 167, not voting 27, as follows:

[Roll No. 450]

YEAS—239

Abraham	Crawford	Grothman
Aderholt	Crenshaw	Guinta
Allen	Culberson	Guthrie
Amash	Curbelo (FL)	Hanna
Amodei	Davis, Rodney	Hardy
Babin	Denham	Harper
Barletta	Dent	Harris
Barr	DeSantis	Hartzler
Barton	DesJarlais	Heck (NV)
Benishek	Diaz-Balart	Hensarling
Bilirakis	Dold	Herrera Beutler
Bishop (MI)	Donovan	Hice, Jody B.
Bishop (UT)	Duffy	Hill
Black	Duncan (SC)	Holding
Blackburn	Duncan (TN)	Hudson
Blum	Ellmers (NC)	Huelskamp
Bost	Emmer (MN)	Huizenga (MI)
Boustany	Farenthold	Hultgren
Brady (TX)	Fincher	Hunter
Brat	Fitzpatrick	Hurd (TX)
Brooks (AL)	Fleischmann	Issa
Brooks (IN)	Fleming	Jenkins (KS)
Buck	Flores	Jenkins (WV)
Bucshon	Forbes	Johnson (OH)
Burgess	Fortenberry	Johnson, Sam
Byrne	Foxx	Jolly
Calvert	Franks (AZ)	Jones
Carter (GA)	Frelinghuysen	Jordan
Chabot	Garrett	Joyce
Chaffetz	Gibbs	Katko
Coffman	Gibson	Kelly (MS)
Cole	Gohmert	Kelly (PA)
Collins (GA)	Goodlatte	King (IA)
Collins (NY)	Gosar	King (NY)
Comstock	Gowdy	Kinzinger (IL)
Conaway	Granger	Kline
Cook	Graves (GA)	Knight
Costello (PA)	Graves (LA)	Labrador
Cramer	Griffith	LaMalfa

Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—167

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hastings
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Wilson (FL)

NOT VOTING—27

Aguilar
Blumenauer
Brady (PA)
Bridenstine
Buchanan
Carter (TX)
Castro (TX)
Clarke (NY)
Clawson (FL)
Costa
Esty
Graves (MO)
Gutiérrez
Hahn
Heck (WA)
Hurt (VA)
Israel
Kennedy
Kirkpatrick
Lynch
Moore
Sarbanes
Schiff
Smith (WA)
Waters, Maxine
Welch
Yarmuth

□ 1352

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall vote No. 450 on H. Res. 369. Had I been present, I would have voted "yes."

Stated against:

Mr. SCHIFF. Mr. Speaker, on rollcall No. 450, had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 175, not voting 16, as follows:

[Roll No. 451]

AYES—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—175

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez

Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—16

Blumenauer
Brady (PA)
Buchanan
Carter (TX)
Castro (TX)
Clarke (NY)
Clawson (FL)
Esty
Graves (MO)
Gutiérrez
Heck (WA)
Lynch
Moore
Stewart
Waters, Maxine
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1401

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on rollcall No. 450, the Motion on Ordering the Previous Question to the Rule providing for consideration of H.R. 1599 and H.R. 1734. I was not present for the vote due to attending a national security briefing at the White House. I intended to vote "nay." On rollcall No. 451, the Rule providing for consideration of H.R. 1599 and H.R. 1734, I intended to vote "nay."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McCARTHY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 249, noes 169, answered ''present'' 2, not voting 13, as follows:

[Roll No. 452]

AYES—249

Abraham
Aderholt
Allen
Amodei
Ashford
Barletta
Barton
Beatty
Becerra
Bera
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clay
Cleaver
Cohen
Cole
Collins (NY)
Comstock
Cook
Cooper
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Donovan
Doyle, Michael F.
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Farr
Fattah
Fincher
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Goodlatte
Graham
Granger
Graves (LA)
Grayson
Griffith
Grothman
Guthrie
Hahn
Hardy
Harper
Harris
Hensarling
Higgins
Himes
Hinojosa
Huelskamp
Huffman
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
King (IA)
King (NY)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Larsen (WA)
Larson (CT)
Latta
Levin
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maloney, Carolyn
Marino
Massie
McCarthy
McCaul
McClintock
McCollum
McHenry
McMorris Rodgers
Meadows
Meeks
Meng
Messer
Mica
Miller (MI)
Moolenaar
Mullin
Nadler
Napolitano
Neugebauer
Newhouse
Noem
Nunes
O'Rourke
Olson
Palmer
Pascrell
Pearce
Pelosi
Perlmutter
Pingree
Pittenger
Pitts
Pocan
Pompeo
Posey
Price (NC)
Quigley
Reichert
Ribble
Roby
Rogers (KY)
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schiff
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Takai
Takano
Thornberry
Tiberi
Titus
Trott
Tsongas
Upton
Van Hollen
Wagner
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—169

Adams
Aguilar
Amash
Babin
Barr
Bass
Benishek
Beyer
Bishop (MI)
Bost
Boyle, Brendan F.
Brownley (CA)
Buck
Bucshon
Burgess
Capuano
Carter (GA)
Castor (FL)
Clark (MA)
Clarke (NY)
Clyburn
Coffman
Collins (GA)
Conaway
Connolly
Conyers
Costa
Costello (PA)
Culberson
Cummings
Curbelo (FL)
Davis, Rodney
DeFazio
Delaney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Duckworth
Duffy
Ellmers (NC)
Farenthold
Fitzpatrick
Fleming
Flores
Foxx
Fudge
Gibson
Gosar
Gowdy
Graves (GA)
Green, Al
Green, Gene
Guinta
Hanna
Hartzler
Hastings
Heck (NV)
Herrera Beutler
Hice, Jody B.
Hill
Holding
Honda
Hoyer
Hudson
Huizenga (MI)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jordan
Joyce
Kennedy
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Lance
Langevin
Lawrence
Lee
Lewis
Lieu, Ted
LoBiondo
Lowey
MacArthur
Maloney, Sean
Marchant
Matsui
McDermott
McGovern
McKinley
McNerney
McSally
Meehan
Miller (FL)
Mooney (WV)
Moulton
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Nolan
Norcross
Nugent
Palazzo
Pallone
Paulsen
Payne
Perry
Peters
Peterson
Poe (TX)
Poliquin
Polis
Price, Tom
Rangel
Ratcliffe
Reed
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roe (TN)
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Rouzer
Roybal-Allard
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Serrano
Sewell (AL)
Sinema
Sires
Slaughter
Smith (MO)
Stivers
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tipton
Torres
Turner
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walker
Watson Coleman
Weber (TX)
Whitfield
Wittman
Woodall
Yoder
Yoho
Young (AK)

ANSWERED ''PRESENT''—2

Gohmert
Tonko

NOT VOTING—13

Blumenauer
Brady (PA)
Buchanan
Carter (TX)
Clawson (FL)
Esty
Graves (MO)
Grijalva
Gutiérrez
Heck (WA)
Lynch
Moore
Waters, Maxine

□ 1408

So the Journal was approved.

The result of the vote was announced as above recorded.

OFFICIAL PHOTOGRAPH OF 114TH CONGRESS

The SPEAKER. Pursuant to House Resolution 292, this time has been designated for the taking of the official photo of the House of Representatives in session.

The House will be in a brief recess while the Chamber is being prepared for the photo. As soon as the photographer indicates that these preparations are complete, the Chair will call the House to order to resume its actual session for the taking of the photograph. At that point the Members will take their cues from the photographer. Shortly after the photographer is finished, the House will proceed with business.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess while the Chamber is being prepared.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1414

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 14 minutes p.m.

(Thereupon, the Members sat for the official photograph of the House of Representatives for the 114th Congress.)

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the chair.

Accordingly (at 2 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HUDSON) at 4 p.m.

HOUR OF MEETING ON TOMORROW

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

GENERAL LEAVE

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 1734.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 369 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1734.

The Chair appoints the gentleman from Illinois (Mr. HULTGREN) to preside over the Committee of the Whole.

□ 1602

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1734) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, with Mr. HULTGREN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Illinois (Mr. SHIMKUS) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in December of last year, EPA put out its final rule for coal ash. We applaud EPA's decision to regulate coal ash under subtitle D, confirming what we have been saying all along, that coal ash is not hazardous.

All you have to do is talk to any of the thousands of coal ash recyclers across the country, and they will tell you that not only is coal ash not hazardous, it is an essential component in their product. However, the rule remains seriously flawed; and implementation will result in confusion, conflict, and a lot of needless litigation.

A fundamental flaw with the rule is that it is self-implementing, which means that, now that EPA has finalized the rule, going forward, there will be zero regulatory oversight of coal ash by the EPA. What this means is that all of the requirements in the final rule, no matter how protective you believe they are, will be interpreted and implemented by the utilities with no oversight or enforcement by the EPA or the States.

This leads us to one of the other key flaws with the final rule, which is that it is enforceable only through citizen suits. Think about that; the final rule sets out a complex set of technical requirements for coal ash, but interpreting what they mean and how to implement them is left entirely to the regulated community with citizen lawsuits in Federal Court as the only mechanism for enforcement.

This will result in an unpredictable array of regulatory interpretations as judges throughout the country are forced to make technical compliance decisions that are better left to a regulatory agency.

Under current law, State permit programs will not operate in lieu of the final coal ash rule. Even if States adopt the final rule, regulated entities must comply with the requirements in the Federal rule and their State. This means, even if a utility was in full compliance with their State coal ash permit, they could and would be sued for noncompliance with the Federal rule.

The Western Governors' Association said it best in a letter to the House and Senate leadership on May 15 of this year:

> Unfortunately, EPA's final rule produces an unintended regulatory consequence in that it creates a dual Federal and State regulatory system. This is because EPA is not allowed under RCRA subtitle D to delegate the CCR program to States in lieu of the Federal program.
>
> Also, the rule does not require facilities to obtain permits, does not require States to adopt and implement new rules, and cannot be enforced by EPA. The rule's only compliance mechanism is for a State or citizen group to bring a citizen suit in Federal District Court under RCRA section 7002. This approach marginalizes the role of State regulation, oversight, and enforcement.

This brings us to where we are today, in need of legislative solution to address the fundamental flaws with the final rule. H.R. 1734 is the solution. The bill addresses the self-implementing aspect of the final rule, as well as the problem with citizen suit enforcement, by establishing enforceable permit programs that directly incorporate the technical requirements of the final rule.

The bill will ensure that every State has a coal ash permit program, that every permit program will contain all of the minimal Federal standards or something more stringent, and that the technical requirements of EPA's final rule are implemented with direct regulatory oversight and enforcement.

The bill requires owners and operators to take actions such as preparing a fugitive dust control plan and conducting structural stability inspections within 8 months from the date of enactment, which makes compliance with these and other requirements directly in line with the timeframe for compliance under the final rule.

Notably, H.R. 1734 also requires owners and operators to begin groundwater monitoring within 36 months from the date of enactment with State environmental agencies immediately ensuring compliance, rather than having to wait for the courts.

It treats inactive surface impoundments in exactly the same manner as the final rule; applies all of the location restrictions from the final rule to the new surface impoundments and expansions of existing impoundments; and will ensure all relevant information—including all information associated with the issuance of permits, all groundwater monitoring data, structural stability assessments, emergency action plans, fugitive dust control plans, information regarding corrective action remedies, and certifications regarding closure—be made available on the Internet.

H.R. 1734 expressly protects the ability to file citizen suits under RCRA while ensuring parties to a lawsuit demonstrate actual harm from the coal ash and not just that a utility allegedly violated the requirements of the rule.

Some say that the bill ''goes too far'' because it allows States to exercise flexibility and make site-specific, risk-based decisions. Others say that the bill is a ''giveaway'' to the utilities or that allowing the States to exercise the same flexibility available under other RCRA permit programs ''weakens'' the requirement of the final rule.

To that, we say H.R. 1734 simply gives the States the same authority to implement coal ash permit programs that they have for other RCRA subtitle D and even subtitle C permit programs.

We trust the States are in the best position to analyze the local conditions and make risk-based permit decisions. We also know EPA trusts the States because EPA relies on the States for the implementation and enforcement of RCRA.

As we have heard before from the Environmental Council of the States and the Association of State and Territorial Solid Waste Management Officials and from the States themselves, they welcome the new minimum Federal requirements, are up to the task of regulating coal ash, and strongly support H.R. 1734.

In addition to ECOS and ASTSWMO, H.R. 1734 enjoys support from a wide array of stakeholders, including Utility

Solid Waste Activities Group, Edison Electric Institute, the National Rural Electric Cooperative, American Public Power Association, the Western Governors Association I mentioned earlier, American Coal Ash Association, and the U.S. Chamber of Commerce.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I oppose this legislation.

H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015 is both unnecessary and dangerous legislation. The administration opposes the bill; and, if it somehow passes Congress, it will be vetoed.

The bill is also opposed by over 180 environmental, public health, and civil rights groups, including the Sierra Club, the League of Conservation Voters, NAACP, NRDC, and Earthjustice.

They oppose this legislation because it would block EPA's final coal ash rule and roll back important protections for human health and the environment. EPA's rule has put these protections in place after years of hard work and public process.

Transparency requirements, groundwater protection standards, cleanup requirements, location restrictions, and liner requirements all will protect human health and the environment. These requirements are long overdue.

Mr. Chairman, we have known for years that unsafe coal ash disposal threatens groundwater, drinking water, and air quality. Contaminants can leach into groundwater and drinking water supplies or become airborne as toxic dust. Aging or deficient impoundments can fail structurally, resulting in catastrophic floods of toxic sludge entering neighboring communities.

Contamination can pose serious and widespread health risks. Just last year, a coal ash spill in North Carolina affected drinking water systems in Virginia. In 2005, a smaller spill in Pennsylvania affected drinking water systems in my home State of New Jersey.

Unfortunately, these incidents are not uncommon. EPA has now identified 157 damage cases from coal ash contamination. If EPA's rule is delayed or undermined, that number will likely continue to grow.

At the same time, Mr. Chairman, that EPA's rule includes many important protections, it is also balanced and responsive to industry concerns. When EPA solicited comments on their proposed rule, they heard from coal ash recyclers that they wanted a subtitle D, nonhazardous rule. That is what EPA finalized.

Those in the electric utility industry wanted a subtitle D rule that would not require them to retrofit their existing impoundments with liners. Again, that is what EPA finalized. States wanted a mechanism to set up their own programs to implement Federal standards and to have EPA approve them. EPA provided that in the final rule as well.

EPA's balanced rule has eliminated past justifications for coal ash legislation. Past concerns that EPA would not be able to finalize a coal ash rule no longer have merit because EPA has done so, and past concerns that EPA might regulate coal ash as hazardous no longer have merit because EPA finalized a nonhazardous rule and has no plans to reverse direction.

Past contentions that EPA needed legislation to effectively protect public health no longer have merit because EPA has confidence that the rule will be effective and protective. Past concerns over enforcement of a subtitle D rule have been addressed because EPA has established mechanisms to review and approve State programs enforcing the rule.

The bottom line, Mr. Chairman, is that legislation is not warranted. Even if it were, this bill would not be the vehicle because it dangerously eliminates or undermines necessary protections.

A number of amendments were to be filed to preserve some of the important requirements in EPA's final rule, and I understand that some of these may be accepted, but I want to stress that these amendments highlight only a subset of the problems with this bill. Even if all the amendments were adopted, the bill would still be unnecessary and a dangerous precedent for public health.

I urge everyone to oppose the bill, Mr. Chairman, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia (Mr. MCKINLEY), a real fighter for coal in the country.

Mr. MCKINLEY. Mr. Chairman, for 35 years, Congress has wrestled with how to deal with coal ash, an unavoidable byproduct of burning coal.

Every day, coal ash is produced in more than 500 coal-fired plants located in 49 States, spread across 207 congressional districts. Each one of those dots represents where every day in America coal ash is being produced. This issue is not a State issue; this is a national issue that needs to be addressed. Over 140 million tons of coal ash are produced annually in each one of those red dots.

I recently received a letter of support from the pulp and paper industry which recycles fly ash and employs nearly 900,000 people in 47 States. Their comment, they want to see this bill pass because, ''The EPA's proposed regulation provides a complicated approach to enforcing the regulation,'' and this bill ''provides clarity and certainty.''

Now, last year, in December, the EPA issued its regulation—indeed, they did—on fly ash. To its credit, the EPA addressed one of the more immediate concerns and opted, however, just for now, to regulate coal ash as a nonhazardous waste.

The question legitimately needs to be raised, and it has been: Why is this legislation needed?

It is two issues. First, the nonhazardous designation is not permanent; and, secondly, the only oversight mechanism in the rule is lawsuits.

□ 1615

Let's be more specific. The nonhazardous designation is merely applicable as long as this rule is not modified. Even in the preamble, the EPA indicates they may reverse their decision and ultimately regulate fly ash as a hazardous material.

More specifically from the rule, it says: The EPA is deferring its final decision because of regulatory uncertainties that cannot be resolved at this time.

This uncertainty could be devastating to recyclers. The science is settled on fly ash, and it should trump political and ideological interference. Are we living in a nation of rules and regulation or are we living in a nation of laws?

This bill ensures that the EPA will not be able to retroactively reverse its original decision. But secondly and equally and maybe more so important is the rule of this omission of specificity and the lack of State or Federal oversight of coal ash disposal. And remember what I just said, the lack of State or Federal oversight that is provided in the rule.

The way the rule is currently written, oversight will occur only through lawsuits, not through regulators.

The bill, however, addresses regulatory uncertainty by guaranteeing that every State will have a coal ash permit program in concert with the EPA, but with State oversight and that every program will meet the standards set forth under the proposed EPA rule. Nothing in the rule was omitted in the legislation.

Rather, the bill modifies the rule to allow States the flexibility to implement an adequate, sufficient, and successful coal ash permit program. It simply ensures that the lawsuits are not the only regulatory component.

Let me give you an example on how the language within the rule could be a problem. The rule states: The owner or operator of a CCR unit must install a sufficient number of wells to yield groundwater samples.

Mr. Chairman, who defines what ''sufficient'' is? One utility in one State may say it is 10 wells. In another State, it may be 20 or 30.

Under this rule, the decision will be handled by a Federal judge rather than a State environmental agency. That is what we corrected with this bill. This is not the fly ash bill from 30 years ago.

We have worked with the EPA in developing this legislation. Perhaps, Mr. Chairman, the administration hasn't read the bill because the bill, one, codifies the rule. It doesn't eliminate anything. It codifies the rule.

Secondly, it removes the uncertainty with the regulatory designation. Three, it enhances oversight. Fourthly, it requires every State to have a coal ash program.

The CHAIR. The time of the gentleman has expired.

Mr. SHIMKUS. Mr. Chair, I yield an additional 1 minute to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chair, in so doing, in providing for the coal ash program, we finally have a national system for oversight of dams.

Think about that. We haven't had that up to this point. That is what caused the problem in the first place, was lack of dam safety.

Secondly, we are going to have enhanced water quality. We are going to have improved environmental considerations.

This rule will go into effect October 19 of this year. Without this legislative action, regulatory uncertainty surrounding the disposal of coal ash will continue as it has for 35 years.

It is imperative we pass this bill today and continue to move forward. The clock is ticking, and the time is now to finally put this issue behind us.

I encourage all of my colleagues on both sides of the aisle to put this issue to rest. We have come to a compromise with the EPA. The administration needs to come on board finally.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

The gentleman from West Virginia seems to suggest that this legislation will improve enforcement of EPA's important coal ash standards.

If that were true, the public interest groups that have fought for strong standards for years would support it.

Democratic Members that have conducted strong oversight of coal ash disasters in the rulemaking process would also support it.

And the EPA, which has worked for decades to establish effective protective requirements, would support it.

Those environmental groups and public health groups strongly oppose this bill, I strongly oppose this bill, and the administration strongly opposes the bill.

That is because this bill is not needed to ensure effective enforcement of the EPA's coal ash rule, and it won't have that effect.

You may hear that EPA's rule will only be enforced through citizen suits, and that is simply not true. While citizen suits have been and will continue to be an important component of all environmental enforcement, States will play an important part in enforcing EPA's final coal ash rule.

They will do so either by bringing citizen suits themselves or by incorporating the requirements of EPA's rule into their State programs.

States want to take on this role. They told the EPA as much in comments on the coal ash proposed rule.

In response to those requests, EPA established in the rule a mechanism to review and approve State programs implementing these requirements.

EPA expects the States to make use of this mechanism and implement the rules requirements through approved programs. So the claim that enforcement will depend exclusively on citizen suits should not be believed.

You have heard also from the chairman of the subcommittee that EPA's rule will be plagued by dual enforcement.

This is the opposite of the claim that enforcement will happen only through citizen suits, but is often made by the same parties. This claim is also untrue.

The mechanism EPA set up in the rule will allow for States to get approval for their programs, meaning EPA will make clear that they have reviewed the State program and found that it is at least as stringent as the Federal requirements.

In other words, EPA will make clear that a facility complying with the State program is, without question, also complying with the Federal requirements.

Citizens groups are unlikely to bring suit against facilities in compliance. If they were to do so, such suits would not go very far.

So, Mr. Chairman, contrary to the claim that judges would be interpreting the requirements differently left and right, Federal judges would defer to EPA's expert evaluations of the sufficiency of State programs.

These enforcement concerns are not the real motivation for this bill. As I said, if this is about improving compliance and enforcement, it would have widespread support.

Instead, this bill is about undermining important health and environmental protections, and that is why it faces widespread opposition.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentleman from southwestern Indiana (Mr. BUCSHON), my colleague and next-door neighbor.

Mr. BUCSHON. Mr. Chairman, I rise today in support of H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015.

This legislation will have a direct impact on the constituents in the Eighth District because Indiana has more coal ash ponds than any other State.

I was concerned that the EPA's final rule on coal combustion residuals lacked clarity and did not adequately address enforcement of the Federal minimum standards for public health and safety.

H.R. 1734 fixes this by giving States like Indiana the authority to implement coal ash rules in a way that protects the environment, public health, and good-paying jobs rather than totally deferring to bureaucrats in Washington, D.C.

This legislation also reconfirms that recycling this nonhazardous material helps keep utility costs low, provides for low-cost, durable construction materials and reduces waste.

I urge my colleagues to support this commonsense legislation.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Under the proven model of environmental regulation, Congress sets the standard of protection the State programs must meet. EPA interprets that standard through rules or guidance so States know what they must do to achieve that level of protection.

States can demonstrate to EPA that they have in place programs adequate to provide the minimum level of protection required, and EPA retains backstop enforcement authority to ensure that State programs are enforced. This bill, Mr. Chairman, fails on each of these points.

Unlike EPA's rule, it does not contain any minimum Federal requirement to protect health and the environment. It undermines the minimum national safeguards in EPA's rule by introducing significant discretion. It fails to establish Federal backstop authority. Finally, it fails to define what facilities the bill covers instead giving States discretion to define the scope of their programs.

So this proposal will not ensure the safe disposal of coal ash, protect groundwater, or prevent dangerous air pollution, and it certainly isn't going to prevent another catastrophic failure like the one we saw in Kingston, Tennessee.

I continue to oppose the legislation, just as the administration does and just as environmental groups and public health groups do. I urge all of my colleagues to do the same.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, before I yield to my colleague from West Virginia, I would just like to mention that, when I mentioned the word ''RCRA,'' that is a municipal solid waste law.

What we are doing is the same thing that we did to RCRA: Federal standards, State implementation by the State EPA. It is the same thing, and all we are doing is codifying that, which means putting these rules and regulations in statute, in law, so it can't be changed.

I yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Mr. Chairman, I thank Chairman SHIMKUS and Congressman MCKINLEY for all of their hard work on this very important issue.

I rise to offer my strong support for this legislation. This bipartisan bill will provide certainty for more than 300,000 workers around our country, including thousands of coal miners in my State of West Virginia and southern West Virginia, in particular.

The recycling of coal ash material helps keep America's energy costs low. It helps to produce construction supplies that industries across our Nation rely on, such as materials for concrete and roofing.

The EPA's final rule did not address a number of issues, including State permitting requirements and oversight.

This bill puts the States in charge. It gives our States the enforcement authority to implement standards for the safe disposal of coal ash.

Our State and local officials know better than Washington bureaucrats

how to address the regulatory requirements of the rule.

I urge passage of this bill.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

As someone who cares about beneficial reuse and wants to see the beneficial reuse flourish, I am listening to this debate.

And one might think that we are facing a stark choice, either vote for this bill or coal ash recycling will stop, but that is not the choice that we face.

When EPA issued its final coal ash rule, they finalized a nonhazardous regulation, exactly what the coal ash recycling industry sought, and the rule explicitly protects beneficial reuse.

Many Members of Congress sent letters and submitted comments to EPA during the comment period on the proposed rule in support of the subtitle, the option they ultimately chose.

In this bill, on the other hand, the decision between hazardous and nonhazardous would be moved to the State level, meaning that these materials could be regulated as hazardous in some States, but not others.

Now, how will that avoid the stigma so many in the industry have spoken of and how will it create the certainty they crave?

Even worse, this bill would eliminate important protections in EPA's final rule, meaning the number of damage cases is likely to continue to grow, and that will really create a stigma around these materials.

So, if we leave these ash ponds in place and another one fails, what will happen to the beneficial reuse industry?

The way to ensure a strong beneficial reuse industry is to ensure consistent regulation and safe disposal of CCR by allowing the EPA rule to be implemented.

Again, that is why I urge my colleagues to oppose this rule if they really want to see the beneficial reuse industry flourish.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, before I yield to my colleague from North Dakota, let me just respond in that, in the final rule, they didn't close the door to regulating coal ash as toxic.

They can re-regulate. They can promulgate a new regulation and then call it toxic. So then you have the fly ash and the concrete in the school and the school has to get torn down because it has got fly ash in it? It makes no sense.

So that is why we need to codify the science, which the EPA has twice, now three times, said coal ash is not toxic.

I yield 2 minutes to the gentleman from North Dakota (Mr. CRAMER).

□ 1630

Mr. CRAMER. Mr. Chairman, I appreciate the chairman's clarifying the statements just made from the other side. I think we all have the same goal, but the lack of certainty, when you put in rule that for today we are not going to determine it hazardous but we leave the thing open-ended just in case we change our mind, that is uncertainty. That is what we are talking about.

I come from a State, North Dakota, where, for nearly 10 years, I was a coal regulator. I regulated coal mining, among other things, including utilities, thank you very much. I appreciate the fact that we were able to mine our coal, burn it at the mine mouth, and generate some of the lowest cost electricity in the country largely because we are able to use the coal ash as a beneficial use for lots of things including, by the way, putting in the foundations of wind turbines.

We didn't need the Federal Government. We have been doing this since the 1970s. We didn't need the EPA's overreach to teach us how to do it. The regulation of coal ash disposal has been debated for decades—for decades. Fortunately, for those of us in North Dakota, we have done pretty well with it. We have had modern facilities and modern standards.

Our State regulators at the health department, along with the Public Service Commission, working with industry—and I stress ''working with industry''—to develop these standards and practices that have worked for all these decades really don't need further imposition of the Federal Government, and certainly not the EPA.

All of our regulations are tailored specifically to our coal types, specifically to the coal ash, specifically to our geology; and, frankly, this legislative approach may not be perfect, but it is better than the EPA's proposal, Mr. Chairman, which leaves way too many opportunities for extreme environmentalists to meddle, to use the courts to come in place throughout the years and impose much more extreme regulations.

I again thank the chairman for his leadership, and I thank the gentleman for introducing the bill.

Mr. PALLONE. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. TONKO), the ranking member of the subcommittee.

Mr. TONKO. Mr. Chairman, once again, the House is considering a bill to set standards for coal ash disposal. Unfortunately, H.R. 1734 does not contain standards that will prevent the problems from poor disposal practices that have plagued communities across the country for far too long. H.R. 1734, the Improving Coal Combustion Residuals Regulation Act, largely maintains the status quo, a system that is operated by the States with no uniform Federal standards, and the status quo isn't good enough.

In the 35 years since Congress passed the Resource Conservation and Recovery Act, or RCRA, the Environmental Protection Agency has been studying the issue of coal ash disposal. During this same time, the regulation of these facilities has been done by the States, and communities in many States have experienced serious problems related to improper disposal of coal ash.

Spills resulting from coal ash impoundment failures have polluted water supplies, destroyed private and public property, and resulted in lengthy and expensive cleanup efforts. Action on this issue is long overdue.

Last December, the Environmental Protection Agency finalized a rule to strengthen the regulations on the disposal of coal ash. The final rule was published in the Federal Register in April. The rule was in development for many years. It is the result of an extensive public process. The Agency sorted through over 450,000 public-submitted statements during the comment period on this rule and held eight public hearings in communities across the country.

EPA's rule is responsive to industry concerns that officially clarifying coal ash as hazardous waste would harm coal ash recycling efforts that utilize coal ash in new materials and products, and the rule is responsive to the concerns of public health and environmental advocates. For the first time, the rule establishes minimum Federal standards that all coal ash disposal facilities must meet. H.R. 1734 does not do that.

H.R. 1734 enables States to do what some are doing now, that is, to allow continued operation of these facilities without sufficient safeguards. H.R. 1734 isn't about providing flexibility in achieving better standards. H.R. 1734 allows States to weaken a standard if facilities can't meet them.

The standards set by the rule provide a guaranteed floor of protection for all communities. What are these? Well, location restrictions. New or expanded areas of existing coal ash facilities must now be sited with consideration and defined buffers with respect to aquifers, wetlands, seismic impact zones, fault areas, and, indeed, unstable areas.

Liner design criteria are included to prevent leaching. The basic requirements in the rule to include both a geomembrane and a 2-foot layer of compacted soil can be met with an alternative design if the alternative would provide equivalent or better performance.

Structural integrity requirements are defined in the rule to prevent structural failures, such as the one that occurred in Tennessee in the year 2008, a failure that caused tremendous damage when an impoundment failed.

Operating criteria are included in the rule to prevent runoff and wind-blown dust, require periodic inspection and capacity limits, among other things.

The advocates for H.R. 1734 have expressed concerns about the enforcement of EPA's coal ash rule. H.R. 1734 is offered as a remedy to this problem. Well, there is no problem. The rule will be enforced by the States through their own authorities to operate their solid waste management programs. I think that is what H.R. 1734 envisions. The rule will also be enforced through citizen suits; and, by the way, States

sometimes bring these suits against private parties on behalf of their citizens.

Listening to the majority criticize an EPA regulation because of its weak EPA enforcement provisions is, indeed, unusual. It is certainly not a complaint the Agency hears very often. The coal ash rule represents a compromise amongst the stakeholders in this issue. H.R. 1734 simply does not.

It is not surprising there are those who are unhappy with certain provisions of this rule. H.R. 1734 is on the floor today at the urging of some of those stakeholders. Of course, the rule from either vantage point is not perfect.

Given the differing opinions on the role of Federal regulation of coal ash disposal and the nature of the standards that should apply to these facilities, that is not too surprising. But I do believe this legislation—in fact, any legislation—is premature.

Changes in regulation or in law take a long time, and hitting the restart button now will only lead to continued uncertainty and continued risk. We have had far too much of those already. I believe the rule should move forward. H.R. 1734 would prevent that from happening.

We have had 35 years of weak protection. It has cost us a great deal. It is time for a more rigorous and stringent approach that prevents spills, water pollution, air pollution, and exposures to toxic substances. It is time to put people's health and safety first.

EPA's coal ash disposal rule was years in the making. We should not discard the approach taken in EPA's rule before it has even been implemented or evaluated. EPA's rule emerged through an extensive public engagement and negotiation process and as a result of years of work invested by the interested parties and the Agency. The coal ash disposal rule should be implemented and given a fair chance to work. If it does not, we certainly retain the option of moving legislation forward.

H.R. 1734 is unnecessary, and H.R. 1734 offers far weaker protections than those of EPA's final rule. I oppose this bill, and I urge my colleagues to do the same.

Mr. SHIMKUS. Mr. Chairman, may I ask how much time remains for each side?

The CHAIR. The gentleman from Illinois has 12½ minutes remaining. The gentleman from New Jersey has 14 minutes remaining.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. MOONEY).

Mr. MOONEY of West Virginia. Mr. Chairman, our coal industry is suffering in West Virginia because President Obama's regulations are artificially driving down demand for reliable and affordable coal.

With power plants closing and home energy prices rising, our miners are suffering and jobs are being cut due to this administration's continuous overreach and interference. That is why Representative DAVID MCKINLEY's bill, the Improving Coal Combustion Residuals Regulation Act of 2015 is so important to our communities in West Virginia. I am a proud original cosponsor.

I strongly support this legislation because it allows States to adopt and implement their own coal ash permitting systems as long as they meet basic Federal standards. The States, along with their local communities and hardworking coal miners, know best how to implement coal ash regulations and will ensure that water quality and the environment are protected.

Being able to recycle coal ash means we can turn our spent coal into useful products, like drywall and concrete. This means more mining jobs and a healthier economy for West Virginia and all of America.

I urge my colleagues to join us in voting for H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, again, a major reason why so many Members on my side of the aisle oppose this bill is because of our concern that coal ash is, in fact, toxic. I just want to focus for a few moments on the reasons this issue is so important to many Members, i.e., the significant health risks posed by the toxic constituents in coal ash.

Coal ash contains arsenic, antimony, barium, beryllium, cadmium, lead, mercury, hexavalent chromium, nickel, selenium, and thallium. Those metals are toxic and pose both acute and chronic threats to human health and the environment. We have heard several claims today that coal ash is not toxic, but the risks posed by these materials, if not properly handled, are real and significant.

EPA finalized the rule for coal ash under subtitle via RCRA, the nonhazardous title, but even in that rule the Agency recognized the serious threats to public health, saying repeatedly that ash can leach toxic metals at levels of concern.

We now know of more than 150 documented damage cases from coal ash pollution. We saw what happened in Kingston, Tennessee. We saw what happened in the Dan River. We saw what happened in Martins Creek, Pennsylvania. The list goes on.

Some may try to dispute the empirical evidence, citing an old laboratory test for leaching that EPA used in 2000, but that test is not the state of the art and has not been for some time. In fact, in 1999, the Science Advisory Board criticized EPA's use of that test for coal ash, suggesting that a new test was necessary. In 2006, the National Academies criticized the leaching test as well, saying that it was not representative of real-world conditions and may greatly underestimate the leaching that occurs. EPA recognized this in their final rule.

I would caution my colleagues against relying too heavily on that outdated test or even on EPA's decision to regulate as nonhazardous. Coal ash is dangerous, and if it ends up in drinking water, groundwater, or air, it is toxic. That is why EPA's rule is so important and why this bill is so dangerous.

I urge my colleagues to vote ''no.''

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, before I yield to my colleague from Florida, let me respond.

I am just trying to figure out whether the other side believes it is toxic or not toxic and if they trust the EPA or don't trust the EPA, because the EPA has ruled twice—in 1993 and 2000—that it was toxic. Then they roll out the final rule, which the other side is defending, and they say it is not toxic. The other side's debating point is really why we need the bill, because uncertainty is being created with the recyclable and reuse people.

What was just talked about should cause everyone who is in the recyclable and reuse industry to say, ''We were right; we need this bill'' because the EPA, in 1993 and 2000, and the final rule. That is one part of the reason why we need the bill is to close that loophole because, yes, it is kind of ironic for me to be supporting the EPA, but the EPA has said it is not toxic.

I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Chairman, I rise today to support H.R. 1734, the Improving Coal Combustion Residuals Regulation Act. This commonsense legislation will ensure that coal combustion products are safely regulated by empowering the States to regulate it at fixed standards without overwhelming consumers' wallets. It also gives the EPA the authority to act to protect the public should a State fail to implement its own regulations.

□ 1645

Coal combustion products have become a significant sector of the economy, providing jobs and environmental and safety benefits. The recycling of coal combustion products reduces greenhouse gas emissions, extends the life and durability of the Nation's roads and bridges, and reduces the amount that must be disposed of in landfills or surface impoundments.

If EPA reverses its decision not to regulate coal ash as a hazardous material, as they are considering, the cost to Floridians could be astronomical because Florida law does not permit hazardous waste landfills. Utilities would then be forced to export the ash to neighboring States, the result of which would be higher out-of-pocket energy costs for my constituents. We can't have that.

Overregulating the recycling of coal combustible products will only serve to hurt the environment and increase the costs to consumers. These are things we should be avoiding, not promoting.

This legislation will protect jobs and provide certainty to States, utilities, and businesses that recycle coal combustible products.

I urge my colleagues to support this important piece of legislation.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

In response to the chairman of the subcommittee, I just want to stress again that I don't think that you should rely on EPA's decision to regulate as nonhazardous, meaning that coal ash is considered nontoxic.

The fact of the matter is that the EPA has never said that it is not a toxic material, and they continue to say that it is dangerous. If it ends up in drinking water, groundwater, or air, it is toxic.

That is why I will take the time now, Mr. Chairman, to read from the SAP, or the Statement of Administration Policy, from the Executive Office of the President. Their main concern in issuing this Statement of Administration Policy is the impact on public health and the environment.

I just would like to read it. It says: ''The Administration strongly opposes H.R. 1734, because it would undermine the protection of public health and the environment provided by the Environmental Protection Agency's (EPA's) December 2014 final rule addressing the risks posed by mismanaged impoundments of coal ash and other coal combustion residuals (CCR). The 2008 failure of a coal ash impoundment in Kingston, Tennessee, and the 2014 coal ash spill into the Dan River in Eden, North Carolina, serve as stark reminders of the need for safe disposal and management of coal ash.

''EPA's rule articulates clear and consistent national standards to protect public health and the environment, prevent contamination of drinking water, and minimize the risk of catastrophic failure at coal ash surface impoundments. H.R. 1734 would, however, substantially weaken these protections. For example, the bill would eliminate restrictions on how close coal ash impoundments can be to drinking water sources. It would also undermine EPA's requirement that unlined impoundments must close or be retrofitted with protective liners if they are leaking and contaminating drinking water. Further, the bill would delay requirements in EPA's final CCR rule, including structural integrity and closure requirements, for which tailored extensions are already available through EPA's rule and through approved Solid Waste Management Plans.

''While the Administration supports appropriate State program flexibility, H.R. 1734 would allow States to modify or waive critical protective requirements found in EPA's final CCR rule. Specifically, H.R. 1734 authorizes States to implement permit programs that would not meet a national minimum standard of protection and fails to provide EPA with an opportunity to review and approve State permit programs prior to implementation, departing from the long-standing precedent of previously enacted Federal environmental statutes.

''Because it would undercut important national programs provided by EPA's 2014 CCR management and disposal rule, the Administration strongly opposes H.R. 1734. If the President were presented with H.R. 1734''—as before the House today—''his senior advisers would recommend that he veto the bill.''

That is the end of the SAP. The administration's opposition is primarily based on the concerns over public health and the environment that would undermine their rules.

Again, I think it is quite clear that the President, the White House, and the EPA are very concerned that this legislation would make it very possible for coal ash and toxic residue to get into the environment, whether it is through drinking water, air, groundwater, whatever. That is our primary concern, Mr. Chairman.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I have no further speakers, and I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, may I inquire how much time is remaining?

The CHAIR. The gentleman from New Jersey has 7½ minutes remaining.

Mr. PALLONE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, what is coal ash and what risk does it pose? Basically, it is the waste from burning coal and power plants or industrial facilities; and it contains high concentrations of toxic chemicals, as I said, including arsenic, lead, and mercury.

The unsafe disposal of coal ash presents serious risks to human health and the environment. Contaminants can leach into groundwater and drinking water supplies or become airborne as toxic dust. Aging or deficient coal ash impoundments can fail structurally, resulting in catastrophic floods of toxic sludge entering neighboring communities. Examples of these harms are numerous and well documented.

The EPA addressed these risks and published a final rule governing coal ash disposal in the Federal Register in April after decades of work, a robust public process, and consideration of over 450,000 public comments.

The rule sets out minimum national criteria for the disposal of coal ash carefully designed to ensure that no reasonable probability of adverse effects occur on the health or the environment, and the rule explicitly protects beneficial reuse or recycling of coal ash.

The GOP is saying that their bill, H.R. 1734, would merely codify EPA's rule; but that is simply not true. This bill would endanger human health and the environment by eliminating or changing crucial requirements in EPA's rule.

Some examples of protective requirements in the rule that would be eliminated by the bill are liner requirements for existing surface impoundments, closure requirements for deficient structures, location restrictions, groundwater protection standards, cleanup requirements, and transparency.

The bill undermines transparency requirements in EPA's rule, including specific requirements to make information publicly available online; and it introduces new exceptions to publication requirements.

Clearly, this bill would delay important health protections. The EPA rule requires coal ash disposal sites to quickly come into compliance with the rules requirements, with many requirements effective this October.

This bill establishes much longer timeframes for some requirements, with full compliance not required until 6 or 7 years after enactment. Even where the timeframes in the bill are close to those in the rule, they would be counted from the bill's date of enactment, leading to significant delays, compared to the rule.

There is no need for this legislation, Mr. Chairman. In the past, some argued that legislation was needed to prevent EPA from regulating coal ash as hazardous waste and to protect beneficial reuse, but EPA's final rule regulates coal ash as nonhazardous and specifically protects the beneficial reuse.

Some have also suggested that legislation is needed to prevent dual enforcement of State and Federal requirements, but the final rule includes a mechanism for EPA approval of State requirements specifically to address this concern.

Who opposes H.R. 1734? Well, again, the administration—I read the SAP—environment, public health and civil rights groups, Sierra Club, and NAACP; the list goes on. In North Carolina, where a recent spill devastated the Dan River, 25 State legislators have signed a letter of opposition to this legislation.

Again, Mr. Chairman, if you care about human health, if you care about the environment, if you want to make sure that coal ash disposal is not going to contaminate your groundwater, your air, or your drinking water, you should vehemently oppose this legislation.

I urge all of my colleagues to do so, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, a couple of things—first of all, drinking battery acid is toxic. Batteries are thrown into municipal solid waste landfills. States comply with Federal standards and enforce the protection of their citizens. That is all we are asking here.

I am glad you read the Statement of Administration Policy. I have a letter from ECOS and ASTSWMO. ECOS is the Environmental Council of the States. It represents all 50 States. ASTSWMO represents the Association

of State and Territorial Solid Waste Management Officials.

Every local government official that manages waste in this country and our territories supports this bill. They must think that there is a reason. I have got to believe that these local States are concerned about protecting their citizens. Otherwise, they wouldn't be elected.

California is an ECOS. Washington State is an ECOS. In fact, the next letter we have is from the Western Governors' Association, and it was unanimous to support this bill. Our friend, the Governor of Washington State, used to be on the committee. No one would say he is going to threaten and endanger his citizens.

The States can do this. They have State EPAs. Let's have a certificate program using Federal statutory guidelines so that we know the rules of the road. That is really all we are doing.

H.R. 1734 is the best solution for everyone. It is a solution for the EPA because their protective technical requirements for coal ash will be implemented through enforceable permits, and they will have a far more significant oversight role for coal ash than they would have under the rule.

It is a solution for the States because they will be able to immediately develop permit programs and know exactly what the permit programs must contain.

It is a solution for the regulated community because they will have the benefit of enforceable permits and regulatory oversight to help them interpret and implement the requirements.

It is a solution for the beneficial users because they will have the certainty that coal ash will continue to be regulated as a nonhazardous waste.

Finally, I would like to thank Mr. MCKINLEY for his longstanding leadership on this issue as we continue the process of trying to figure out how to effectively regulate coal ash.

I urge all my colleagues to support this bipartisan solution to effectively and affirmatively regulate coal ash, and I yield back the balance of my time.

Ms. CLARKE of New York. Mr. Chair, today, I rise to discuss my opposition to H.R 1734, Improving Coal Combustion Residuals Regulation Act of 2015. H.R. 1734 is an attack on the EPA's recently finalized minimum disposal standards for toxic coal ash and a threat to safety, health, and the environment.

Low-income communities bear an unbalanced share of the health risks from disposal of coal combustion waste, as with so many environmental issues. Almost 70 percent of coal ash impoundments are located in communities of color or low income communities.

Coal ash disposal sites directly impact the health, livelihood, and home values for the already poor and vulnerable communities living around these dump sites. More than 200 coal ash sites have already contaminated water in 37 states.

Supporting this act gives a cold shoulder to American families suffering from toxic coal ash-related health issues. It tells those families that Congress does not care about their health and environmental issues.

This bill will delay many of the EPA's coal ash rule's new health and safety protections, weaken the rule's mandate to close inactive ponds by extending the deadline for closure, eliminate the rule's guarantee of public access to information and public participation, and eliminate the rule's ban on storing and dumping coal ash in drinking water. The bill will also remove the national minimum standard for protection and cleanup of coal ash-contaminated sites, remove the rule's national standard for drinking water protection and cleanup of ash-contaminated sites, prohibit effective federal oversight of state programs, and prohibit EPA enforcement of state program requirements unless invited by a state.

This is why I am in support of the Butterfield/Rush/Clarke/Price/Adams Amendment, which attempts to improve this bill by allowing the Administrator of the EPA to prevent the underlying legislation from going into effect if it is determined to have a negative impact on vulnerable populations.

In summary, I oppose H.R. 1734 because it places the health of communities and environment in great danger and fails to guarantee consistent nationwide protection. I urge my colleagues to join me in protecting the American people by opposing this bill.

Mr. GENE GREEN of Texas. Mr. Chair, I rise in support of H.R. 1734, the Improving Coal Combustion Residuals Regulation Act.

The Energy and Commerce Committee has looked at the issue of coal ash for the past several Congresses. I have and continue to advocate for coal ash to be regulated under Subtitle D of the Resource Conservation and Recovery Act (RCRA), which would ensure that the recycling of coal ash continues without disruption.

The beneficial reuse of coal ash is responsible for tens of thousands of jobs around the country—helping our economy and our environment.

I appreciate EPA's decision to regulate coal ash as a non-hazardous waste in its April final rule. However, I do have concerns with the other parts of EPA's new regulations. In particular, the rule is self-implementing, meaning that it does not require permits to be issued and the federal government will have no authority to enforce EPA's standards.

The best way forward is to create a state-based permitting program with minimum federal standards. This legislation does just that, taking many of EPA's requirements and folding them into state permitting programs. The program created by this bill would give states the flexibility to meet their unique conditions and empower state agencies to enforce environmental and safety requirements that will protect communities and the environment.

EPA will be authorized to step-in for states that do not create their own programs.

This chamber passed coal ash legislation with bipartisan support in 2011 and 2013. The legislation before us today is an improvement on those bills and provides stronger protections for human health and the environment.

Mr. Chair, I ask for colleagues on both sides of the aisle to come together and vote in support of this commonsense, bipartisan legislation.

Mr. UPTON. Mr. Chair, I rise today to again voice my strong support for H.R. 1734, the Improving Coal Combustion Residuals Regulation Act. We have been down this road before, and it has been bipartisan every step of the way. Versions of this legislation already passed the House on a number of occasions, and I believe that each Congress our thoughtful solution got better as we work to protect jobs, public health, and the environment. We worked closely with states as well as the administration, and we have a balanced solution before us today.

This legislation incorporates the EPA's final coal ash rule that was announced in December and eliminates the challenges to its implementation. It sets up a state-based regulatory program to ensure the safe management and disposal of coal ash.

States like my home state of Michigan have been, and will always be, better suited to implement rules and regulations because they understand local conditions. Folks who are on the ground are always better able to assess and handle a situation than bureaucrats in Washington.

We have received letters in support of this bipartisan bill from state legislators, governors, and laborers—the list goes on. The Western Governors Association wrote that they "support congressional efforts to address problematic confusion" created by EPA's final coal ash rule. They point out that the rule produces an unintended consequence by creating a dual federal and state regulatory system.

Why? Because EPA lacks authority to delegate the coal ash program to states in lieu of a federal program. Their letter also notes that EPA's rule "does not require facilities to obtain permits, does not require states to adopt and implement new rules, and cannot be enforced by EPA."

This bill is not about the fracas over burning coal. It's about who's on the Clean-up Committee. It's about who has the expertise and responsibility for protecting a state's natural resources and the health of a state's residents.

And it's not just Western Governors who understand this principle. The Environmental Council of the States, the nonpartisan association of state and territorial environmental agency leaders, has lent their strong voices to this effort, unanimously writing is support of H.R. 1734. This isn't just environmental chiefs from states with coal, or states with governors from the same party. It's all ECOS member states.

We have a thoughtful solution before us today, and I want to recognize the bill's author, Mr. MCKINLEY, and the subcommittee chairman, Mr. SHIMKUS, for their hard work. We have been at this for years and have struck the sweet spot. I urge all Members to vote "yes" on final passage and to vote with the gentlemen from Illinois on any amendments. I yield back.

Mr. CONYERS. Mr. Chair, I rise today in opposition to H.R. 1734, the majority's haphazard effort to delay and weaken regulation of coal combustion residuals—better known as coal ash.

Every year our coal plants consume nearly 800 million tons of coal. That consumption produces nearly 100 million tons of coal ash loaded with mercury, cadmium, arsenic, and heavy metals. These toxic compounds have led even conservative towns like Conway, South Carolina—where President Obama lost by 28 points to Governor Romney in 2014—to vote for coal ash removal.

The Environmental Protection Agency's Coal Combustion Residual (CCR) Rule, issued on December 19, 2014, seeks to remedy the problem that many communities have with coal ash. It prohibits storage in dangerous areas, like along fault lines and too close to the water table. It creates strong liner requirements to prevent leaching of toxic compounds. It requires groundwater testing of areas immediately next to coal ash storage sites. It requires companies to clean up their mess when their coal ash leaches out or spills into waterways. It requires disclosure and public notice of testing results and spillages.

H.R. 1734 would weaken most of these strong standards in favor state-run permitting programs. And those programs that would take years to create and would then require fewer protections for the public.

But the watered down standards are merely the surface problem with H.R. 1734—the fatal flaw is in how H.R. 1734 would delay and undercut any effort to enforce coal ash regulations.

Under current law, private citizens may bring lawsuits to enforce the Resource Conservation and Recovery Act of 1976 (RCRA). Since EPA promulgated the Coal Ash Regulation under RCRA, that means that the same people who care most about coal ash—those whose air and water are threatened—may sue to enforce EPA's Coal Ash provisions. H.R. 1734 changes that, creating a permitting program that could delay suits for more than five years.

Still, the Chairman of one Energy and Commerce Subcommittee describes H.R. 1734 as a win for coal ash accountability, because it "breathes real-life enforcement authority into the standards."

Nothing could be further from the truth.

North Carolina—ground zero in the fight against coal ash—provides a crystal clear example of the crony capitalist regulation and corrupt enforcement that H.R. 1734 would enshrine in law.

On February 2, 2014, Duke Energy spilled nearly 40,000 tons of coal ash into the Dan River. The spill by itself was a disaster. But it also called attention to a decades-old problem—coal ash leaching in less dramatic ways into North Carolina's waterways.

Newly-aware North Carolinians were furious and demanded action. Raleigh, NC-based Public Policy Polling found that 93% of North Carolinians wanted the state to force Duke Energy to clean up the Dan River; 83% favored forcing Duke Energy to clean up all their coal ash sites.

But that was not what happened. North Carolina met Duke Energy's Dan River spill not with enforcement, but with what looks a lot like "constituent services." A three-decade Duke Energy employee occupied the North Carolina governor's mansion. North Carolina's environmental regulator delayed the enforcement proceedings—as they have done with other leaching-based contaminations—to the benefit of Duke Energy. When they finally assessed a fine—they hit Duke Energy with just $25 million against a company who made $3 billion that year. But that agreement also had no requirement that Duke Energy clean up their spill—directly contradicting the wishes of 93% of North Carolinians.

H.R. 1734 tells us to trust in state enforcement. But as we have already seen, it is far too easy for corrupt utilities to capture state regulators. H.R. 1734 repeals the EPA rule for one reason—it would work. And unlike coal ash leaching into our drinking waters, that is not something that unscrupulous special interest groups are going to tolerate.

I urge my colleagues to end the farce that H.R. 1734 represents; pull it from the floor like they did with the House Interior and Environment Appropriations; and figure out how they can help our communities instead of poison them.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 1734

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Improving Coal Combustion Residuals Regulation Act of 2015".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Management and disposal of coal combustion residuals.
Sec. 3. 2000 regulatory determination.
Sec. 4. Technical assistance.
Sec. 5. Federal Power Act.

SEC. 2. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following:

"SEC. 4011. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

"(a) STATE PERMIT PROGRAMS FOR COAL COMBUSTION RESIDUALS.—Each State may adopt, implement, and enforce a coal combustion residuals permit program in accordance with this section.

"(b) STATE ACTIONS.—

"(1) NOTIFICATION.—Not later than 6 months after the date of enactment of this section (except as provided by the deadline identified under subsection (d)(3)(B)), the Governor of each State shall notify the Administrator, in writing, whether such State will adopt and implement a coal combustion residuals permit program.

"(2) CERTIFICATION.—

"(A) IN GENERAL.—Not later than 24 months after the date of enactment of this section (except as provided in subparagraph (B) and subsection (f)(1)(A)), in the case of a State that has notified the Administrator that it will implement a coal combustion residuals permit program, the head of the lead State implementing agency shall submit to the Administrator a certification that such coal combustion residuals permit program meets the requirements described in subsection (c).

"(B) EXTENSION.—

"(i) REQUIREMENTS.—The Administrator may extend the deadline for submission of a certification for a State under subparagraph (A) for a period of 12 months if the State submits to the Administrator a request for such an extension that—

"(I) describes the efforts of the State to meet such deadline;

"(II) demonstrates that the legislative or rulemaking procedures of such State render the State unable meet such deadline; and

"(III) provides the Administrator with a detailed schedule for completion and submission of the certification.

"(ii) DETERMINATION.—If the Administrator does not approve or deny a request submitted under clause (i) by the date that is 30 days after such submission, the request shall be deemed approved.

"(C) CONTENTS.—A certification submitted under this paragraph shall include—

"(i) a letter identifying the lead State implementing agency, signed by the head of such agency;

"(ii) identification of any other State agencies involved with the implementation of the coal combustion residuals permit program;

"(iii) an explanation of how the State coal combustion residuals permit program meets the requirements of this section, including—

"(I) a description of the State's—

"(aa) process to inspect or otherwise determine compliance with such permit program;

"(bb) process to enforce the requirements of such permit program;

"(cc) public participation process for the promulgation, amendment, or repeal of regulations for, and the issuance of permits under, such permit program; and

"(dd) statutes, regulations, or policies pertaining to public access to information, including information on groundwater monitoring data, structural stability assessments, emergency action plans, fugitive dust control plans, notifications of closure (including any certification of closure by a qualified professional engineer), and corrective action remedies; and

"(II) identification of any changes to the definitions under section 257.53 of title 40, Code of Federal Regulations, for purposes of the State coal combustion residuals permit program, including a reasonable basis for such changes, as required under subsection (l)(5);

"(iv) a statement that the State has in effect, at the time of certification, statutes or regulations necessary to implement a coal combustion residuals permit program that meets the requirements described in subsection (c);

"(v) copies of State statutes and regulations described in clause (iv);

"(vi) a plan for a response by the State to a release at a structure or inactive surface impoundment that has the potential for impact beyond the site on which the structure or inactive surface impoundment is located; and

"(vii) a plan for coordination among States in the event of a release that crosses State lines.

"(D) UPDATES.—A State may update the certification as needed to reflect changes to the coal combustion residuals permit program.

"(3) MAINTENANCE OF 4005(c) OR 3006 PROGRAM.—In order to adopt or implement a coal combustion residuals permit program under this section (including pursuant to subsection (f)), the lead State implementing agency shall maintain an approved permit program or other system of prior approval and conditions under section 4005(c) or an authorized program under section 3006.

''(c) REQUIREMENTS FOR A COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—A coal combustion residuals permit program shall consist of the following:

''(1) GENERAL REQUIREMENTS.—

''(A) PERMITS.—The implementing agency shall require that owners or operators of structures apply for and obtain permits incorporating the applicable requirements of the coal combustion residuals permit program.

''(B) PUBLIC AVAILABILITY OF INFORMATION.—Except for information with respect to which disclosure is prohibited under section 1905 of title 18, United States Code, the implementing agency shall ensure that—

''(i) documents for permit determinations are made publicly available for review and comment under the public participation process of the coal combustion residuals permit program;

''(ii) final determinations on permit applications are made publicly available;

''(iii) information on groundwater monitoring data, structural stability assessments, emergency action plans, fugitive dust control plans, notifications of closure (including any certification of closure by a qualified professional engineer), and corrective action remedies required pursuant to paragraph (2), collected in a manner determined appropriate by the implementing agency, is publicly available, including on an Internet website; and

''(iv) information regarding the exercise by the implementing agency of any discretionary authority granted under this section and not provided for in the rule described in subsection (l)(1) is made publicly available.

''(C) AGENCY AUTHORITY.—

''(i) IN GENERAL.—The implementing agency shall—

''(I) obtain information necessary to determine whether the owner or operator of a structure is in compliance with the requirements of the coal combustion residuals permit program;

''(II) conduct or require monitoring or testing to ensure that structures are in compliance with the requirements of the coal combustion residuals permit program; and

''(III) enter any site or premise at which a structure or inactive coal combustion residuals surface impoundment is located for the purpose of inspecting such structure or surface impoundment and reviewing relevant records.

''(ii) MONITORING AND TESTING.—If monitoring or testing is conducted under clause (i)(II) by or for the implementing agency, the implementing agency shall, if requested, provide to the owner or operator—

''(I) a written description of the monitoring or testing completed;

''(II) at the time of sampling, a portion of each sample equal in volume or weight to the portion retained by or for the implementing agency; and

''(III) a copy of the results of any analysis of samples collected by or for the implementing agency.

''(2) CRITERIA.—The implementing agency shall apply the following criteria with respect to structures:

''(A) DESIGN REQUIREMENTS.—For new structures, including lateral expansions of existing structures, the criteria regarding design requirements described in sections 257.70 and 257.72 of title 40, Code of Federal Regulations, as applicable.

''(B) GROUNDWATER MONITORING AND CORRECTIVE ACTION.—

''(i) IN GENERAL.—Except as provided in clause (ii), for all structures, the criteria regarding groundwater monitoring and corrective action requirements described in sections 257.90 through 257.98 of title 40, Code of Federal Regulations, including—

''(I) for the purposes of detection monitoring, the constituents described in appendix III to part 257 of title 40, Code of Federal Regulations; and

''(II) for the purposes of assessment monitoring, establishing a groundwater protection standard, and assessment of corrective measures, the constituents described in appendix IV to part 257 of title 40, Code of Federal Regulations.

''(ii) EXCEPTIONS AND ADDITIONAL AUTHORITY.—

''(I) ALTERNATIVE POINT OF COMPLIANCE.—Notwithstanding section 257.91(a)(2) of title 40, Code of Federal Regulations, the implementing agency may establish the relevant point of compliance for the down-gradient monitoring system as provided in section 258.51(a)(2) of title 40, Code of Federal Regulations.

''(II) ALTERNATIVE GROUNDWATER PROTECTION STANDARDS.—Notwithstanding section 257.95(h) of title 40, Code of Federal Regulations, the implementing agency may establish an alternative groundwater protection standard as provided in section 258.55(i) of title 40, Code of Federal Regulations.

''(III) ABILITY TO DETERMINE THAT CORRECTIVE ACTION IS NOT NECESSARY OR TECHNICALLY FEASIBLE.—Notwithstanding section 257.97 of title 40, Code of Federal Regulations, the implementing agency may determine that remediation of a release from a structure is not necessary as provided in section 258.57(e) of title 40, Code of Federal Regulations.

''(IV) AUTHORITY RELATING TO RELEASES, OTHER THAN RELEASES TO GROUNDWATER.—Notwithstanding sections 257.90(d) and 257.96(a) of title 40, Code of Federal Regulations, the implementing agency may, with respect to a release from a structure, other than a release to groundwater, authorize, for purposes of complying with this section, remediation of such release in accordance with other applicable Federal or State requirements if compliance with such requirements will result in the same level of protection as compliance with the criteria described in sections 257.96 through 257.98 of title 40, Code of Federal Regulations, taking into consideration the nature of the release.

''(V) GENERAL AUTHORITY RELATING TO GROUNDWATER MONITORING AND CORRECTIVE ACTION.—Notwithstanding sections 257.90 through 257.98 of title 40, Code of Federal Regulations, the implementing agency may authorize alternative groundwater monitoring and corrective action requirements provided that such requirements are no less stringent than the alternative requirements authorized to be established under subpart E of part 258 of title 40, Code of Federal Regulations.

''(VI) OPPORTUNITY FOR CORRECTIVE ACTION FOR UNLINED SURFACE IMPOUNDMENTS.—Notwithstanding section 257.101(a)(1) of title 40, Code of Federal Regulations, the implementing agency may allow the owner or operator of an existing structure that is an unlined surface impoundment—

''(aa) to continue to operate, pursuant to sections 257.96 through 257.98 of title 40, Code of Federal Regulations, until the date that is 102 months after the date of enactment of this section; and

''(bb) to continue to operate after such date as long as such unlined surface impoundment meets the groundwater protection standard established pursuant to this subparagraph and any other applicable requirement established pursuant to this section.

''(C) CLOSURE.—For all structures, the criteria for closure described in sections 257.101, 257.102, and 257.103 of title 40, Code of Federal Regulations, except—

''(i) the criteria described in section 257.101(a)(1) of title 40, Code of Federal Regulations, shall apply to an existing structure that is an unlined surface impoundment only if—

''(I) the unlined surface impoundment is not allowed to continue operation pursuant to subparagraph (B)(ii)(VI)(aa); or

''(II) in the case of an unlined surface impoundment that is allowed to continue operation pursuant to subparagraph (B)(ii)(VI)(aa), the date described in such subparagraph has passed and the unlined surface impoundment does not meet the requirements described in subparagraph (B)(ii)(VI)(bb);

''(ii) the criteria described in section 257.101(b)(1) of title 40, Code of Federal Regulations, shall not apply to existing structures, except as provided in subparagraphs (E)(i)(II) and (E)(ii); and

''(iii) if an implementing agency has set a deadline under clause (i) or (ii) of subparagraph (L), the criteria described in section 257.101(b)(2) of title 40, Code of Federal Regulations, shall apply to structures that are surface impoundments only after such deadline.

''(D) POST-CLOSURE.—For all structures, the criteria for post-closure care described in section 257.104 of title 40, Code of Federal Regulations.

''(E) LOCATION RESTRICTIONS.—

''(i) IN GENERAL.—The criteria for location restrictions described in—

''(I) for new structures, including lateral expansions of existing structures, sections 257.60 through 257.64 and 257.3µ091 of title 40, Code of Federal Regulations; and

''(II) for existing structures, sections 257.64 and 257.3µ091 of title 40, Code of Federal Regulations.

''(ii) ADDITIONAL AUTHORITY.—The implementing agency may apply the criteria described in sections 257.60 through 257.63 of title 40, Code of Federal Regulations, to existing structures that are surface impoundments.

''(F) AIR CRITERIA.—For all structures, the criteria for air quality described in section 257.80 of title 40, Code of Federal Regulations.

''(G) FINANCIAL ASSURANCE.—For all structures, the criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations.

''(H) SURFACE WATER.—For all structures, the criteria for surface water described in section 257.3µ093 of title 40, Code of Federal Regulations.

''(I) RECORDKEEPING.—For all structures, the criteria for recordkeeping described in section 257.105 of title 40, Code of Federal Regulations.

''(J) RUN-ON AND RUN-OFF CONTROLS.—For all structures that are landfills, sand or gravel pits, or quarries, the criteria for run-on and run-off control described in section 257.81 of title 40, Code of Federal Regulations.

''(K) HYDROLOGIC AND HYDRAULIC CAPACITY REQUIREMENTS.—For all structures that are surface impoundments, the criteria for inflow design flood control systems described in section 257.82 of title 40, Code of Federal Regulations.

''(L) STRUCTURAL INTEGRITY.—For structures that are surface impoundments, the criteria for structural integrity described in sections 257.73 and 257.74 of title 40, Code of Federal Regulations, except that, notwithstanding section 257.73(f)(4) of title 40, Code of Federal Regulations, the implementing agency may provide for—

''(i) up to 30 days for an owner or operator to complete a safety factor assessment when an owner or operator has failed to meet an

applicable periodic assessment deadline provided in section 257.73(f) of title 40, Code of Federal Regulations; and

''(ii) up to 12 months for an owner or operator to meet the safety factor assessment criteria provided in section 257.73(e)(1) of title 40, Code of Federal Regulations, if the implementing agency determines, through the initial safety factor assessment, that the structure does not meet such safety factor assessment criteria and that the structure does not pose an immediate threat of release.

''(M) INSPECTIONS.—For all structures, the criteria described in sections 257.83 and 257.84 of title 40, Code of Federal Regulations.

''(3) PERMIT PROGRAM IMPLEMENTATION FOR EXISTING STRUCTURES.—

''(A) NOTIFICATION.—Not later than the date on which a State submits a certification under subsection (b)(2), not later than 18 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 24 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall notify owners or operators of existing structures of—

''(i) the obligation to apply for and obtain a permit under subparagraph (C); and

''(ii) the requirements referred to in subparagraph (B)(ii).

''(B) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

''(i) INITIAL DEADLINE FOR CERTAIN REQUIREMENTS.—Not later than 8 months after the date of enactment of this section, the implementing agency shall require owners or operators of existing structures to comply with—

''(I) the requirements under paragraphs (2)(F), (2)(H), (2)(I), and (2)(M); and

''(II) the requirement for a permanent identification marker under the criteria described in paragraph (2)(L).

''(ii) SUBSEQUENT DEADLINE FOR CERTAIN OTHER REQUIREMENTS.—Not later than 12 months after the date on which a State submits a certification under subsection (b)(2), not later than 30 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 36 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall require owners or operators of existing structures to comply with—

''(I) the requirements under paragraphs (2)(B), (2)(G), (2)(J), (2)(K), and (2)(L); and

''(II) the requirement for a written closure plan under the criteria described in paragraph (2)(C).

''(C) PERMITS.—

''(i) PERMIT DEADLINE.—Not later than 48 months after the date on which a State submits a certification under subsection (b)(2), not later than 66 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 72 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall issue, with respect to an existing structure, a final permit incorporating the applicable requirements of the coal combustion residuals permit program, or a final denial of an application submitted requesting such a permit.

''(ii) APPLICATION DEADLINE.—The implementing agency shall identify, in collaboration with the owner or operator of an existing structure, a reasonable deadline by which the owner or operator shall submit a permit application under clause (i).

''(D) INTERIM OPERATION.—

''(i) PRIOR TO DEADLINES.—Unless the implementing agency determines that the structure should close in accordance with the criteria described in paragraph (2)(C), with respect to any period of time on or after the date of enactment of this section but prior to the applicable deadline in subparagraph (B), the owner or operator of an existing structure may continue to operate such structure until such applicable deadline under any applicable regulations in effect during such period.

''(ii) PRIOR TO PERMIT.—Unless the implementing agency determines that the structure should close in accordance with the criteria described in paragraph (2)(C), if the owner or operator of an existing structure meets the requirements referred to in subparagraph (B) by the applicable deadline in such subparagraph, the owner or operator may operate the structure until such time as the implementing agency issues, under subparagraph (C), a final permit incorporating the requirements of the coal combustion residuals permit program, or a final denial of an application submitted requesting such a permit.

''(4) REQUIREMENTS FOR INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS.—

''(A) NOTICE.—Not later than 2 months after the date of enactment of this section, each owner or operator of an inactive coal combustion residuals surface impoundment shall submit to the Administrator and the State in which such inactive coal combustion residuals surface impoundment is located a notice stating whether such inactive coal combustion residuals surface impoundment will—

''(i) not later than 3 years after the date of enactment of this section, complete closure in accordance with section 257.100 of title 40, Code of Federal Regulations; or

''(ii) comply with the requirements of the coal combustion residuals permit program applicable to existing structures that are surface impoundments (except as provided in subparagraph (D)(ii)).

''(B) EXTENSION.—In the case of an inactive coal combustion residuals surface impoundment for which the owner or operator submits a notice described in subparagraph (A)(i), the implementing agency may extend the closure deadline provided in such subparagraph by a period of not more than 2 years if the owner or operator of such inactive coal combustion residuals surface impoundment—

''(i) demonstrates to the satisfaction of the implementing agency that it is not feasible to complete closure of the inactive coal combustion residuals surface impoundment in accordance with section 257.100 of title 40, Code of Federal Regulations, by the deadline provided in subparagraph (A)(i)—

''(I) because of complications stemming from the climate or weather, such as unusual amounts of precipitation or a significantly shortened construction season;

''(II) because additional time is required to remove the liquid from the inactive coal combustion residuals surface impoundment due to the volume of coal combustion residuals contained in the surface impoundment or the characteristics of the coal combustion residuals in such surface impoundment;

''(III) because the geology and terrain surrounding the inactive coal combustion residuals surface impoundment will affect the amount of material needed to close the inactive coal combustion residuals surface impoundment; or

''(IV) because additional time is required to coordinate with and obtain necessary approvals and permits; and

''(ii) demonstrates to the satisfaction of the implementing agency that the inactive coal combustion residuals surface impoundment does not pose an immediate threat of release.

''(C) FINANCIAL ASSURANCE.—The implementing agency shall require the owner or operator of an inactive surface impoundment that has closed pursuant to this paragraph to perform post-closure care in accordance with the criteria described in section 257.104(b)(1) of title 40, Code of Federal Regulations, and to provide financial assurance for such post-closure care in accordance with the criteria described in section 258.72 of title 40, Code of Federal Regulations.

''(D) TREATMENT AS STRUCTURE.—

''(i) IN GENERAL.—An inactive coal combustion residuals surface impoundment shall be treated as an existing structure that is a surface impoundment for the purposes of this section, including with respect to the requirements of paragraphs (1) and (2), if—

''(I) the owner or operator does not submit a notice in accordance with subparagraph (A); or

''(II) the owner or operator submits a notice described in subparagraph (A)(ii).

''(ii) INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS THAT FAIL TO CLOSE.—An inactive coal combustion residuals surface impoundment for which the owner or operator submits a notice described in subparagraph (A)(i) that does not close by the deadline provided under subparagraph (A)(i) or subparagraph (B), as applicable—

''(I) shall be treated as an existing structure for purposes of this section beginning on the date that is the day after such applicable deadline, including by—

''(aa) being required to comply with the requirements of paragraph (1), as applicable; and

''(bb) being required to comply, beginning on such date, with each requirement of paragraph (2); but

''(II) shall not be required to comply with paragraph (3).

''(d) FEDERAL REVIEW OF STATE PERMIT PROGRAMS.—

''(1) IN GENERAL.—The Administrator shall provide to a State written notice and an opportunity to remedy deficiencies in accordance with paragraph (3) if at any time the State—

''(A) does not satisfy the notification requirement under subsection (b)(1);

''(B) has not submitted a certification as required under subsection (b)(2);

''(C) does not satisfy the maintenance requirement under subsection (b)(3);

''(D) is not implementing a coal combustion residuals permit program, with respect to which the State has submitted a certification under subsection (b)(2), that meets the requirements described in subsection (c);

''(E) is not implementing a coal combustion residuals permit program, with respect to which the State has submitted a certification under subsection (b)(2)—

''(i) that is consistent with such certification; and

''(ii) for which the State continues to have in effect statutes or regulations necessary to implement such program; or

''(F) does not make available to the Administrator, within 90 days of a written request, specific information necessary for the Administrator to ascertain whether the State has satisfied the requirements described in subparagraphs (A) through (E).

''(2) REQUEST.—If a request described in paragraph (1)(F) is proposed pursuant to a petition to the Administrator, the Administrator shall make the request only if the Administrator does not possess the information necessary to ascertain whether the State has

satisfied the requirements described in subparagraphs (A) through (E) of paragraph (1).

''(3) CONTENTS OF NOTICE; DEADLINE FOR RESPONSE.—A notice provided under paragraph (1) shall—

''(A) include findings of the Administrator detailing any applicable deficiencies described in subparagraphs (A) through (F) of paragraph (1); and

''(B) identify, in collaboration with the State, a reasonable deadline by which the State shall remedy such applicable deficiencies, which shall be—

''(i) in the case of a deficiency described in subparagraphs (A) through (E) of paragraph (1), not earlier than 180 days after the date on which the State receives the notice; and

''(ii) in the case of a deficiency described in paragraph (1)(F), not later than 90 days after the date on which the State receives the notice.

''(4) CONSIDERATIONS FOR DETERMINING DEFICIENCY OF STATE PERMIT PROGRAM.—In making a determination whether a State has failed to satisfy the requirements described in subparagraphs (A) through (E) of paragraph (1), or a determination under subsection (e)(1)(B), the Administrator shall consider, as appropriate—

''(A) whether the State's statutes or regulations to implement a coal combustion residuals permit program are not sufficient to meet the requirements described in subsection (c) because of—

''(i) failure of the State to promulgate or enact new statutes or regulations when necessary; or

''(ii) action by a State legislature or court striking down or limiting such State statutes or regulations;

''(B) whether the operation of the State coal combustion residuals permit program fails to comply with the requirements of subsection (c) because of—

''(i) failure of the State to issue permits as required in subsection (c)(1)(A);

''(ii) repeated issuance by the State of permits that do not meet the requirements of subsection (c);

''(iii) failure of the State to comply with the public participation requirements of this section; or

''(iv) failure of the State to implement corrective action requirements required under subsection (c)(2)(B); and

''(C) whether the enforcement of a State coal combustion residuals permit program fails to comply with the requirements of this section because of—

''(i) failure to act on violations of permits, as identified by the State; or

''(ii) repeated failure by the State to inspect or otherwise determine compliance pursuant to the process identified under subsection (b)(2)(C)(iii)(I).

''(e) IMPLEMENTATION BY ADMINISTRATOR.—

''(1) FEDERAL BACKSTOP AUTHORITY.—The Administrator shall implement a coal combustion residuals permit program for a State if—

''(A) the Governor of the State notifies the Administrator under subsection (b)(1) that the State will not adopt and implement a permit program;

''(B) the State has received a notice under subsection (d) and the Administrator determines, after providing a 30-day period for notice and public comment, that the State has failed, by the deadline identified in the notice under subsection (d)(3)(B), to remedy the deficiencies detailed in the notice pursuant to subsection (d)(3)(A); or

''(C) the State informs the Administrator, in writing, that such State will no longer implement such a permit program.

''(2) REVIEW.—A State may obtain a review of a determination by the Administrator under this subsection as if the determination was a final regulation for purposes of section 7006.

''(3) OTHER STRUCTURES.—For structures and inactive coal combustion residuals surface impoundments located on property within the exterior boundaries of a State that the State does not have authority or jurisdiction to regulate, the Administrator shall implement a coal combustion residuals permit program only for those structures and inactive coal combustion residuals surface impoundments.

''(4) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program under paragraph (1) or (3), the permit program shall consist of the requirements described in subsection (c).

''(5) ENFORCEMENT.—

''(A) IN GENERAL.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1)—

''(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals, structures, and inactive coal combustion residuals surface impoundments for which the Administrator is implementing the coal combustion residuals permit program; and

''(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section in the State.

''(B) OTHER STRUCTURES.—If the Administrator implements a coal combustion residuals permit program under paragraph (3)—

''(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals, structures, and inactive coal combustion residuals surface impoundments for which the Administrator is implementing the coal combustion residuals permit program; and

''(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section for the structures and inactive coal combustion residuals surface impoundments for which the Administrator is implementing the coal combustion residuals permit program.

''(6) PUBLIC PARTICIPATION PROCESS.—If the Administrator implements a coal combustion residuals permit program under this subsection, the Administrator shall provide a 30-day period for the public participation process required under subsection (c)(1)(B)(i).

''(f) STATE CONTROL AFTER IMPLEMENTATION BY ADMINISTRATOR.—

''(1) STATE CONTROL.—

''(A) NEW ADOPTION, OR RESUMPTION OF, AND IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(A) or subsection (e)(1)(C), the State may adopt and implement such a permit program by—

''(i) notifying the Administrator that the State will adopt and implement such a permit program;

''(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

''(iii) receiving from the Administrator—

''(I) a determination, after the Administrator provides for a 30-day period for notice and public comment, that the State coal combustion residuals permit program meets the requirements described in subsection (c); and

''(II) a timeline for transition to the State coal combustion residuals permit program.

''(B) REMEDYING DEFICIENT PERMIT PROGRAM.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(B), the State may adopt and implement such a permit program by—

''(i) remedying only the deficiencies detailed in the notice pursuant to subsection (d)(3)(A); and

''(ii) receiving from the Administrator—

''(I) a determination, after the Administrator provides for a 30-day period for notice and public comment, that the deficiencies detailed in such notice have been remedied; and

''(II) a timeline for transition to the State coal combustion residuals permit program.

''(2) REVIEW OF DETERMINATION.—

''(A) DETERMINATION REQUIRED.—The Administrator shall make a determination under paragraph (1) not later than 90 days after the date on which the State submits a certification under paragraph (1)(A)(ii), or notifies the Administrator that the deficiencies have been remedied pursuant to paragraph (1)(B)(i), as applicable.

''(B) REVIEW.—A State may obtain a review of a determination by the Administrator under paragraph (1) as if such determination was a final regulation for purposes of section 7006.

''(g) IMPLEMENTATION DURING TRANSITION.—

''(1) EFFECT ON ACTIONS AND ORDERS.—Program requirements of, and actions taken or orders issued pursuant to, a coal combustion residuals permit program shall remain in effect if—

''(A) a State takes control of its coal combustion residuals permit program from the Administrator under subsection (f)(1); or

''(B) the Administrator takes control of a coal combustion residuals permit program from a State under subsection (e).

''(2) CHANGE IN REQUIREMENTS.—Paragraph (1) shall apply to such program requirements, actions, and orders until such time as—

''(A) the implementing agency that took control of the coal combustion residuals permit program changes the requirements of the coal combustion residuals permit program with respect to the basis for the action or order; or

''(B) with respect to an ongoing corrective action, the State or the Administrator, whichever took the action or issued the order, certifies the completion of the corrective action that is the subject of the action or order.

''(3) SINGLE PERMIT PROGRAM.—Except as otherwise provided in this subsection—

''(A) if a State adopts and implements a coal combustion residuals permit program under subsection (f), the Administrator shall cease to implement the coal combustion residuals permit program implemented under subsection (e) for such State; and

''(B) if the Administrator implements a coal combustion residuals permit program for a State under subsection (e)(1), the State shall cease to implement its coal combustion residuals permit program.

''(h) EFFECT ON DETERMINATION UNDER 4005(c) OR 3006.—The Administrator shall not consider the implementation of a coal combustion residuals permit program by the Administrator under subsection (e) in making a determination of approval for a permit program or other system of prior approval and conditions under section 4005(c) or of authorization for a program under section 3006.

''(i) AUTHORITY.—

''(1) STATE AUTHORITY.—Nothing in this section shall preclude or deny any right of any State to adopt or enforce any regulation or requirement respecting coal combustion residuals that is more stringent or broader in scope than a regulation or requirement under this section.

''(2) AUTHORITY OF THE ADMINISTRATOR.—

''(A) IN GENERAL.—Except as provided in subsections (d), (e), and (g) of this section and section 6005, the Administrator shall,

with respect to the regulation of coal combustion residuals under this Act, defer to the States pursuant to this section.

''(B) IMMINENT HAZARD.—Nothing in this section shall be construed as affecting the authority of the Administrator under section 7003 with respect to coal combustion residuals.

''(C) ENFORCEMENT ASSISTANCE ONLY UPON REQUEST.—Upon request from the head of a lead State implementing agency, the Administrator may provide to such State agency only the enforcement assistance requested.

''(D) CONCURRENT ENFORCEMENT.—Except as provided in subparagraph (C) of this paragraph and subsection (g), the Administrator shall not have concurrent enforcement authority when a State is implementing a coal combustion residuals permit program, including during any period of interim operation described in subsection (c)(3)(D).

''(3) CITIZEN SUITS.—Nothing in this section shall be construed to affect the authority of a person to commence a civil action in accordance with section 7002.

''(j) MINE RECLAMATION ACTIVITIES.—A coal combustion residuals permit program implemented by the Administrator under subsection (e) shall not apply to the utilization, placement, and storage of coal combustion residuals at surface or underground coal mining and reclamation operations.

''(k) USE OF COAL COMBUSTION RESIDUALS.—Use of coal combustion residuals in any of the following ways shall not be considered to be receipt of coal combustion residuals for the purposes of this section:

''(1) Use as—

''(A) engineered structural fill constructed in accordance with—

''(i) ASTM E2277 entitled 'Standard Guide for Design and Construction of Coal Ash Structural Fills', including any amendment or revision to that guidance;

''(ii) any other published national standard determined appropriate by the implementing agency; or

''(iii) a State standard or program relating to—

''(I) fill operations for coal combustion residuals; or

''(II) the management of coal combustion residuals for beneficial use; or

''(B) engineered structural fill for—

''(i) a building site or foundation;

''(ii) a base or embankment for a bridge, roadway, runway, or railroad; or

''(iii) a dike, levee, berm, or dam that is not part of a structure.

''(2) Storage in a manner that is consistent with the management of raw materials, if the coal combustion residuals being stored are intended to be used in a product or as a raw material.

''(3) Beneficial use—

''(A) that provides a functional benefit;

''(B) that is a substitute for the use of a virgin material;

''(C) that meets relevant product specifications and regulatory or design standards; and

''(D) if such use involves placement on the land of coal combustion residuals in nonroadway applications, in an amount equal to or greater than the amount described in the definition of beneficial use in section 257.53 of title 40, Code of Federal Regulations, for which the person using the coal combustion residuals demonstrates, and keeps records showing, that such use does not result in environmental releases to groundwater, surface water, soil, or air that—

''(i) are greater than those from a material or product that would be used instead of the coal combustion residuals; or

''(ii) exceed relevant regulatory and health-based benchmarks for human and ecological receptors.

''(l) EFFECT OF RULE.—

''(1) IN GENERAL.—With respect to the final rule entitled 'Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities' signed by the Administrator on December 19, 2014—

''(A) such rule shall be implemented only through a coal combustion residuals permit program under this section; and

''(B) to the extent that any provision or requirement of such rule conflicts, or is inconsistent, with a provision or requirement of this section, the provision or requirement of this section shall control.

''(2) REFERENCES TO THE CODE OF FEDERAL REGULATIONS.—For purposes of this section, any reference to a provision of the Code of Federal Regulations added by the rule described in paragraph (1) shall be considered to be a reference to such provision as it is contained in such rule.

''(3) EFFECTIVE DATE.—For purposes of this section, any reference in part 257 of title 40, Code of Federal Regulations, to the effective date contained in section 257.51 of such part shall be considered to be a reference to the date of enactment of this section, except that, in the case of any deadline established by such a reference that is in conflict with a deadline established by this section, the deadline established by this section shall control.

''(4) APPLICABILITY OF OTHER REGULATIONS.—The application of section 257.52 of title 40, Code of Federal Regulations, is not affected by this section.

''(5) DEFINITIONS.—The definitions under section 257.53 of title 40, Code of Federal Regulations, shall apply with respect to any criteria described in subsection (c) the requirements of which are incorporated into a coal combustion residuals permit program under this section, except—

''(A) as provided in paragraph (1); and

''(B) a lead State implementing agency may make changes to such definitions if the lead State implementing agency—

''(i) identifies the changes in the explanation included with the certification submitted under subsection (b)(2)(C)(iii); and

''(ii) provides in such explanation a reasonable basis for the changes.

''(6) OTHER CRITERIA.—The criteria described in sections 257.106 and 257.107 of title 40, Code of Federal Regulations, may be incorporated into a coal combustion residuals permit program at the discretion of the implementing agency.

''(m) DEFINITIONS.—In this section:

''(1) COAL COMBUSTION RESIDUALS.—The term 'coal combustion residuals' means the following wastes generated by electric utilities and independent power producers:

''(A) The solid wastes listed in section 3001(b)(3)(A)(i) that are generated primarily from the combustion of coal, including recoverable materials from such wastes.

''(B) Coal combustion wastes that are co-managed with wastes produced in conjunction with the combustion of coal, provided that such wastes are not segregated and disposed of separately from the coal combustion wastes and comprise a relatively small proportion of the total wastes being disposed in the structure.

''(C) Fluidized bed combustion wastes that are generated primarily from the combustion of coal.

''(D) Wastes from the co-burning of coal with non-hazardous secondary materials, provided that coal makes up at least 50 percent of the total fuel burned.

''(E) Wastes from the co-burning of coal with materials described in subparagraph (A) that are recovered from monofills.

''(2) COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—The term 'coal combustion residuals permit program' means all of the authorities, activities, and procedures that comprise a system of prior approval and conditions implemented under this section to regulate the management and disposal of coal combustion residuals.

''(3) ELECTRIC UTILITY; INDEPENDENT POWER PRODUCER.—The terms 'electric utility' and 'independent power producer' include only electric utilities and independent power producers that produce electricity on or after the date of enactment of this section.

''(4) EXISTING STRUCTURE.—The term 'existing structure' means a structure the construction of which commenced before the date of enactment of this section.

''(5) IMPLEMENTING AGENCY.—The term 'implementing agency' means the agency responsible for implementing a coal combustion residuals permit program, which shall either be the lead State implementing agency identified under subsection (b)(2)(C)(i) or the Administrator pursuant to subsection (e).

''(6) INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENT.—The term 'inactive coal combustion residuals surface impoundment' means a surface impoundment, located at an electric utility or independent power producer, that, as of the date of enactment of this section—

''(A) does not receive coal combustion residuals;

''(B) contains coal combustion residuals; and

''(C) contains liquid.

''(7) STRUCTURE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'structure' means a landfill, surface impoundment, sand or gravel pit, or quarry that receives coal combustion residuals on or after the date of enactment of this section.

''(B) EXCEPTIONS.—

''(i) MUNICIPAL SOLID WASTE LANDFILLS.—The term 'structure' does not include a municipal solid waste landfill.

''(ii) DE MINIMIS RECEIPT.—The term 'structure' does not include any landfill or surface impoundment that receives only de minimis quantities of coal combustion residuals if the presence of coal combustion residuals is incidental to the material managed in the landfill or surface impoundment.

''(8) UNLINED SURFACE IMPOUNDMENT.—The term 'unlined surface impoundment' means a surface impoundment that does not have a liner system described in section 257.71 of title 40, Code of Federal Regulations.''.

(b) CONFORMING AMENDMENT.—The table of contents contained in section 1001 of the Solid Waste Disposal Act is amended by inserting after the item relating to section 4010 the following:

''Sec. 4011. Management and disposal of coal combustion residuals.''.

SEC. 3. 2000 REGULATORY DETERMINATION.

Nothing in this Act, or the amendments made by this Act, shall be construed to alter in any manner the Environmental Protection Agency's regulatory determination entitled ''Notice of Regulatory Determination on Wastes From the Combustion of Fossil Fuels'', published at 65 Fed. Reg. 32214 (May 22, 2000), that the fossil fuel combustion wastes addressed in that determination do not warrant regulation under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

SEC. 4. TECHNICAL ASSISTANCE.

Nothing in this Act, or the amendments made by this Act, shall be construed to affect the authority of a State to request, or the Administrator of the Environmental Protection Agency to provide, technical assistance under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 5. FEDERAL POWER ACT.

Nothing in this Act, or the amendments made by this Act, shall be construed to affect the obligations of an owner or operator of a structure (as such term is defined in section 4011 of the Solid Waste Disposal Act, as added by this Act) under section 215(b)(1) of the Federal Power Act (16 U.S.C. 824o(b)(1)).

The CHAIR. No amendment to the bill shall be in order except those printed in part C of House Report 114–216. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SHIMKUS

The CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 114–216.

Mr. SHIMKUS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 13, strike ''subsection (l)(5)'' and insert ''subsection (l)(4)''.

Page 45, beginning on line 5, strike ''signed by the Administrator on December 19, 2014'' and insert ''and published in the Federal Register on April 17, 2015 (80 Fed. Reg. 21302)''.

Page 45, strike lines 15 through 20.

Page 45, line 21, through page 47, line 5, redesignate paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

The CHAIR. Pursuant to House Resolution 369, the gentleman from Illinois (Mr. SHIMKUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SHIMKUS. Mr. Chairman, my amendment makes a technical and conforming change to the bill. Let me explain.

The final rule amends part 257 of title 40 of the Code of Federal Regulations. EPA put out a prepublication version on the final rule on December 19, 2014, meaning that it was public, but had not yet been published in the Federal Register.

H.R. 1734 directly incorporates the requirements in the EPA's final rule, and so there are numerous citations in the bill to the Code of Federal Regulations because, as of the date of our full committee markup, the final rule had not yet been published in the Federal Register and thus did not have a final citation in the Code of Federal Regulations.

It was necessary to include in the bill a reference to the date of prepublication of the final rule and include a paragraph regarding references to the Code of Federal Regulations.

The final rule was published in the Federal Register on April 17, 2015; and as of that date, citations to the final rule were appropriately cited as citations to 40 CFR 257.

My amendment simply removes the paragraph from the bill that was added as a placeholder until a final rule was published in the Federal Register.

I urge all Members to support this amendment. I yield back the balance of my time.

□ 1700

The CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SHIMKUS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PALLONE

The CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 114–216.

Mr. PALLONE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike page 9, line 1, through page 10, line 4, and insert the following:

''(B) PUBLIC AVAILABILITY OF INFORMATION.—The implementing agency shall ensure compliance with sections 257.106 and 257.107 of title 40, Code of Federal Regulations.

Page 47, strike lines 1 through 5.

The CHAIR. Pursuant to House Resolution 369, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume in support of my amendment.

Mr. Chairman, this bill is dangerous for human health and the environment, in part, because it deletes or undermines important protections in EPA's final coal ash rule. The deleted requirements include location restrictions, like a bar on disposing of coal ash directly in contact with natural aquifers. The undermined requirements include groundwater protection standards and monitoring requirements, which States would be able to change as they see fit. And all of the requirements, including design, maintenance, and operation requirements, would be delayed.

My amendment, however, focuses on just one of these dangerous shortcomings, which I think is very important, and illustrates the fundamental issues with this bill. EPA's rule establishes a strong national floor for public disclosure of information. The rule specifies what information will be made available to the public and how it must be posted. Utilities will have to maintain pages on their Web sites that document their compliance with a wide range of criteria in the rule, including inspections and groundwater monitoring data.

These requirements will inform and empower communities and hold utilities accountable. Concerned citizens won't have to navigate an array of State agencies and offices to find out if the coal ash impoundment in their neighborhood is contaminating groundwater. Instead, they will able to go directly to the utility Web site and see all monitoring results.

Mr. Chairman, EPA testified before the Energy and Commerce Committee that these transparency requirements will be strong drivers of compliance, just as disclosure requirements have been under other environmental statutes. The Toxics Release Inventory is a great example. But this bill would eliminate these requirements.

Under this bill, there would be no national requirement to maintain a public Web site and to post all of this important data. So my amendment would simply restore these important requirements in EPA's final rule.

Mr. Chairman, I urge my colleagues to ask why this bill does away with this important compliance tool when its proponents suggest that the bill will improve compliance and enforcement. I think the answer is that this bill is not intended to increase compliance with the important standards EPA developed, but to allow the unsafe disposal of coal ash to continue. But it has already gone on for far too long.

I urge my colleagues to support this amendment to address one of the many shortcomings in the bill. I don't expect this amendment to pass, but I want to be clear that even if it does, the underlying bill will still be unnecessary and problematic. I will be urging a ''no'' vote when the question comes on final passage.

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

Mr. SHIMKUS. Mr. Chair, I rise to speak in opposition to the amendment.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I share my colleague's concern for transparency, and I too want to make sure that the public has access to all relevant information. The State certification program would have State public access through the State EPA, and that is in this bill. So there is public access to information.

H.R. 1734 accomplishes the goal by making sure the public has access to information and guaranteeing that the public will be involved with the decisionmaking process because it requires public participation in the permitting process, and it requires States to make available on the Internet such information as: all groundwater monitoring data, information regarding structural stability assessments, emergency action plans and emergency response plans, fugitive dust controls, certifications of closures, corrective action remedies, and all documents associated with the permitting process.

I would like to point out that Mathy Stanislaus, Assistant Administrator for the Office of Solid Waste and Emergency Response at EPA, indicated at our legislative hearing that States making the information available on the Internet was just as good as requiring owners and operators of disposal units putting it on their Web site.

All that said, I understand my colleague's belief that the public would be

better served by having utilities create individual Web sites where the same information could be posted, and I offered to work with him to improve his amendment so that it would have accomplished his goal of having individual utility Web sites and removing references to confidential business information but would also have continued to ensure that States would make information available.

I regret that we were unable to come to an agreement. I am willing to work with the gentleman on this issue as we move forward, and I regret that I have to urge a ''no'' vote on his amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. PALLONE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. CASTOR OF FLORIDA

The CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 114–216.

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, strike lines 3 through 21.

Page 14, line 22, through page 16, line 10, redesignate subclauses (V) and (VI) as subclauses (IV) and (V), respectively.

The CHAIR. Pursuant to House Resolution 369, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, my amendment requires the owners and operators of coal ash ponds to immediately clean up pollution from spills or disasters that involve their coal ash waste. The underlying bill inexplicably did not contain such a requirement.

I know that is hard to believe, in the face of the horrendous coal ash disasters of the past 2 years, that my Republican colleagues did not include such a requirement. So my amendment reinstitutes the requirement for cleanup of these disasters.

Now, the EPA rule requires an owner or operator of coal ash waste to respond immediately to a spill or release, whether it is through the air, water, or soil. The rule requires the polluter to alert both the local authorities and the public and to immediately prepare a cleanup plan. I mean, that is a fundamental concept of doing business, isn't it? Yet the Republican bill eliminates that requirement for owners and operators.

They would no longer have to be responsible for their pollution or a disaster? That is a scary proposition after the Dan River Duke Energy spill in North Carolina that spilled over 39,000 tons of coal ash and 140,000 tons of toxic wastewater, and after the TVA blowout that they say will cost over a billion dollars to remediate that community.

Now, there are over 600 coal waste disposal impoundments across the Nation, and more than 100 million tons of coal waste are generated each year.

In my home State of Florida, there are over 42 coal ash ponds at 8 power plants, 27 of which are unlined, and 13 landfills, 6 of which are unlined. My local power provider alone has 11 coal ash ponds and one landfill. Over 6.1 million tons of coal ash are generated in Florida each year, yet Florida does not really regulate coal ash ponds, and that is similar to a lot of communities across the country.

But we have learned the hard way that we need to have some basic standards to prevent these type of disasters. The EPA has identified 170 coal ash ponds and landfills that have contaminated groundwater, surface water, or otherwise increased risks of harm to human health over the past years.

These surface impoundments where coal ash is stored in ponds pose a threat, and even a threat to loss of life, if they fail. Coal ash ponds are located in 33 States, and 50 impoundments are currently considered high hazard, meaning that a failure would probably cause loss of human life.

One such impoundment was at the TVA Kingston Fossil Plant, which burst on December 22, 2008, releasing 5.4 million cubic yards of coal ash to the Emory and Clinch Rivers and surrounding areas, creating a Superfund site that could cost about $1.2 billion, they estimate.

The initial release of material created a wave of water and ash that destroyed three homes, disrupted electrical power, ruptured a natural gas line in the nearby neighborhood, covered railways and roadways, and necessitated the evacuation of a nearby neighborhood. This disaster forever changed the lives of farmers, ranchers, and families. More than 1 billion gallons of waste washed down the valley like a wave, covering more than 300 acres. The volume of ash and water was nearly 100 times greater than the amount of oil spilled in the Exxon Valdez disaster. Thankfully, no serious injuries were reported since this occurred at night while people slept.

And since 2008, we have had three major coal ash disasters, including the largest toxic waste spill in United States history.

In addition to the TVA disaster, the Dan River plant spill in North Carolina was absolutely horrendous. February 2014, a pipe burst beneath an unlined coal ash impoundment, sending over 82,000 tons of coal ash slurry into the Dan River, spreading 70 miles downstream.

The cost of cleaning up spills and leaking dumpsites has already snowballed, with six companies reporting liabilities that exceed $10 billion. And we want to let them off the hook? I don't think so.

We have got to correct this by adopting my amendment. Without Federal action to guide cleanup within a reasonable time, we are going to let folks off the hook, and that would not be fair. The chronic risks are significant. The risks to public and private property are significant. The risks to public health are too significant to ignore.

So Mr. Chairman, I urge my colleagues to adopt the Castor amendment. Vote ''yes'' to restore the rule's requirement to clean up releases of pollution caused by these coal ash impoundment ponds.

I reserve the balance of my time.

The CHAIR. The time of the gentlewoman has expired.

Mr. SHIMKUS. Mr. Chairman, I rise in opposition, although I do not oppose the amendment.

The CHAIR. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. SHIMKUS. Mr. Chairman, first of all, I appreciate my colleague bringing up this amendment. I just wish she, as a member of the committee, I wish we would have seen this in the markup of the full committee and the committee because maybe we could have just inserted it into the bill instead of having it as an amendment on the floor. I understand the gentlewoman's passion. I just wish, through regular order, we probably could have disposed of this in the committee process.

Having said that, the gentlewoman's amendment takes steps to more closely conform the bill to the EPA rule with respect to cleanup requirements, which is the entire intent of this bill. The intent of the bill is to codify the EPA rule, and so the gentlewoman's amendment helps us do that, and I appreciate that.

I agree with the gentlewoman that it approves a protectiveness of State permit programs. Again, the key thing about H.R. 1734, it creates State permit programs so that the States have Federal standards and they have an enforceable permit program which they can enforce, just like we do on solid waste.

I have no objection to the amendment. It is going to improve the bill, and I accept it on our side.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 114–216.

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 27, line 19, strike ''FINANCIAL ASSURANCE'' and insert ''POST-CLOSURE CARE AND FINANCIAL ASSURANCE''.

Page 27, line 24, strike ''section 257.104(b)(1)'' and insert ''subsections (b) and (c) of section 257.104''.

The CHAIR. Pursuant to House Resolution 369, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I want to begin by thanking the majority for including my amendment offered to the coal ash bill considered in a previous Congress requiring States to have a strong and comprehensive emergency response plan in the unfortunate event of a spill or a leak.

As I said then, and believe even more now, we simply cannot count on a private company to be prepared for a spill. The State and local governments, who will be the first responders, must also be active partners. By requiring States to be prepared with their own emergency response plans, I think we are taking a modest step to ensure they are prepared to protect the communities.

Again, I acknowledge that and thank my colleagues.

□ 1715

It is in that same spirit of bipartisan, commonsense, and modest safeguards that I offer this amendment that would simply require that all inactive surface impoundments that begin closure procedures to put in place the same groundwater monitoring safeguards procedures required in the final Federal rule.

When we debated similar legislation in July of 2013, I spoke of the devastating 2008 failure of the coal ash impoundment in Kingston, Tennessee.

As a result of that breach, more than 5 million cubic yards of coal ash were released, covering more than 300 acres in toxic sludge, damaging and destroying homes and property, resulting in more than $1.2 billion in cleanup costs.

We must not forget the lasting health consequences as well, some of which are still unknown, resulting from that incident. Some residents will suffer from respiratory illnesses and other side effects.

Arsenic levels, where the Kingston coal ash runoff was disposed of, were measured at 80 times higher than the amount allowed under the Safe Drinking Water Act, and the EPA already has said such exposure significantly increases the risk of cancer over time.

What is even more troubling is these incidents continue to occur, most recently in my own home State of Virginia, where a neighboring North Carolina coal ash pond spilled more than 39,000 tons of toxic ash and 24 million gallons of wastewater into the Dan River.

Though much of the public and media attention of this spill was focused on North Carolina's regulatory shortcomings, Virginians were also left exposed to the dangers of that coal ash spill. It is estimated that only 2,500 tons of ash were removed, leaving over 90 percent of the coal ash in Virginia waters.

As a result of this incident, Virginia's Department of Environmental Quality has proposed a $2.5 million settlement against Duke Energy Carolinas, probably only a fraction of the ultimate cost of cleanup.

What has happened to communities in North Carolina, Tennessee, and Virginia can happen to any one of our communities that have or are near coal ash impoundment ponds.

Today across the Commonwealth of Virginia, there are more than 30 active and inactive ponds at 11 different sites, including one in my district, with an average of 47 years.

As more of these facilities transition from coal-fired plants to gas-fired and biomass and as we close down these surface impoundments, we need to make sure we are protecting our communities with proper postclosure procedures.

One of the easiest protections our constituents can expect is that we maintain rigorous groundwater monitoring as these legacy ponds and inactive surface impoundments move toward postclosure status.

However, I worry that, as this bill is written and, admittedly, as the EPA rule was finalized, regrettably, an unfortunate carve-out was made that threatens our communities.

Why is it that a site that closes under the rule's guidelines must monitor groundwater for 30 years, but one that is rushed to meet the 3-year deadline only has to monitor for a fraction of that same time? What could go wrong with that?

Buried on pages 125 and 126 of the April 17, 2015, Federal Register, EPA notes that it ''received few public comments on the proposed activities to conduct during the post-closure care. These commenters were supportive of the activities and specifically urged the rule to require the monitoring of groundwater throughout the post-closure care period. The Agency received no comments opposing the proposed postclosure care activities.''

I will remind my friends that more than 450,000 comments were provided on this rule.

It isn't often we can all agree on something. But I think we can agree our neighbors have the right to expect that the water they are drinking is safe.

So here is our opportunity to come together and support strong groundwater monitoring requirements at impoundment sites that keep all of our communities safe, and I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MCKINLEY. Mr. Chairman, when we analyzed all of the proposed amendments to H.R. 1734 earlier this week, we were eager to accept those amendments that might improve the legislation and make the State permitting process even stronger so we can ensure that the coal ash impoundments are closed in a safe and efficient manner. Unfortunately, this amendment would have the opposite effect.

This amendment would require that all inactive impoundments or legacy sites, as they are known, comply with the requirements in the final rule to conduct postclosure care, which includes the installation of groundwater monitoring.

While I appreciate and share my colleague's concerns about inactive surface impoundments, this amendment would not achieve what I believe is my colleague's goal of ensuring the timely closure of inactive surface impoundments.

In the final rule, the EPA recognized the need for efficient and timely closure of the inactive impoundments. In fact, the EPA incentivized the closure of legacy sites by ensuring that the utilities that are able to safely closed inactive impoundments within the 3-year deadline would not need to comply with any of the other requirements in the final rule, including groundwater monitoring.

This amendment would wipe out the EPA's incentive for utilities to complete closure of inactive surface impoundments in a timely manner by requiring that utilities comply with certain requirements immediately.

In addition, I think there is a broad agreement that the EPA final rule is protective with respect to taking steps to address inactive surface impoundments.

The gentleman's amendment goes farther than even what EPA determined would be protective to address the legacy site by requiring immediate compliance with certain requirements which, as I indicated, would remove the incentive for EPA to close inactive impoundments by the deadline.

Many of the inactive surface impoundments will be clean-closed. To explain that, that means that all of the coal ash will be removed from the impoundment. There is no need for 30 years of postclosure care for these particular impoundments.

So for all these reasons, Mr. Chairman, I urge my colleagues to vote ''no'' on this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CONNOLLY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. ADAMS

The CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 114–216.

Ms. ADAMS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 29, after line 16, insert the following:

''(5) DRINKING WATER SUPPLY WELL SURVEY AND PROVISION OF ALTERNATE WATER SUPPLY.—

''(A) SURVEY.—Not later than 7 months after the date of enactment of this section, each owner or operator of a surface impoundment shall conduct a survey that identifies all drinking water supply wells within one-half mile down-gradient from the established waste boundary of the surface impoundment and shall submit the survey to—

''(i) the Administrator; and

''(ii) the implementing State, if applicable.

''(B) INCLUSIONS.—Each survey conducted pursuant to subparagraph (A) shall include well locations, the nature of water uses, available well construction details, and information regarding ownership of the wells.

''(C) DETERMINATION OF SAMPLING.—

''(i) IN GENERAL.—Not later than 4 months after an owner or operator submits a survey under subparagraph (A), the Administrator or the implementing State, as applicable, shall determine which wells identified in the survey the owner or operator will be required to conduct sampling and water quality analysis for, and how frequently and for what period sampling is required.

''(ii) REQUIRED SAMPLING.—The Administrator or the implementing State, as applicable, shall require sampling and water quality analysis described in clause (i) where data regarding groundwater quality and flow and depth in the area of the surveyed well provide a reasonable basis to predict that the quality of water from the surveyed well may be adversely impacted by coal combustion residuals.

''(D) SAMPLING.—

''(i) INITIATION.—Not later than 5 months after an owner or operator submits a survey under subparagraph (A), the owner or operator shall initiate any sampling and water quality analysis required pursuant to subparagraph (C) for constituents associated with coal combustion residuals, including, at a minimum, arsenic, lead, hexavalent chromium, vanadium, boron, thallium, molybdenum, and selenium.

''(ii) INDEPENDENT SAMPLING.—A property owner whose well has been selected for sampling and analysis may elect to have an independent third party selected from a laboratory certified by the Administrator or the implementing State, as applicable, conduct the sampling and analysis required under this paragraph in lieu of such sampling and analysis being conducted by the owner or operator of the surface impoundment.

''(iii) COSTS.—The owner or operator of the surface impoundment shall pay for the reasonable costs of any sampling and analysis conducted pursuant to this paragraph.

''(iv) RIGHT TO REFUSE SAMPLING.—Nothing in this paragraph shall be construed to preclude or impair the right of any property owner whose well has been selected for sampling and analysis to refuse such sampling and analysis.

''(E) ALTERNATE SUPPLIES OF DRINKING WATER.—If sampling and water quality analysis conducted pursuant to this paragraph indicates that water from a drinking water supply well exceeds groundwater quality standards for constituents associated with the presence of coal combustion residuals, the owner or operator of the surface impoundment, in addition to any other applicable requirement, shall replace such water—

''(i) with an alternate supply of potable drinking water, as appropriate, not later than 24 hours after the Administrator or the implementing State, as applicable, determines that there is such an exceedance; and

''(ii) with an alternate supply of water that is safe for other household uses, as appropriate, not later than 30 days after the Administrator or the implementing State, as applicable, determines that there is such an exceedance.

''(F) ANNUAL GROUNDWATER PROTECTION AND RESTORATION REPORT.—

''(i) IN GENERAL.—Not later than one year after the date of enactment of this section, and each year thereafter, each owner or operator of a surface impoundment required to conduct sampling and water quality analysis pursuant to this paragraph shall submit a report to the Administrator or the implementing State, as applicable, that includes a summary of all groundwater monitoring, protection, and restoration activities related to the surface impoundment for the preceding year, including any replacement of contaminated drinking water pursuant to this paragraph.

''(ii) PUBLICLY ACCESSIBLE INTERNET WEBSITE REQUIREMENT.—Not later than 30 days after submitting a report under clause (i), an owner or operator shall post the report on a publicly accessible Internet website established by the owner or operator in accordance with section 257.107 of title 40, Code of Federal Regulations.

''(G) RELATIONSHIP TO OTHER GROUNDWATER MONITORING REQUIREMENTS.—To the extent that any requirement of this paragraph conflicts with a provision of paragraph (2)(B), the requirement of this paragraph shall control.

Page 49, after line 7, insert the following:

''(6) IMPLEMENTING STATE.—The term 'implementing State' means—

''(A) a State that has notified the Administrator under subsection (b)(1) that it will adopt and implement a coal combustion residuals permit program; or

''(B) if a lead State implementing agency has been identified under subsection (b)(2)(C)(i) for such a State, such implementing agency.

Page 49, line 8, through page 50, line 17, redesignate paragraphs (6) through (8) as paragraphs (7) through (9), respectively.

The CHAIR. Pursuant to House Resolution 369, the gentlewoman from North Carolina (Ms. ADAMS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. ADAMS. Mr. Chairman, my amendment provides strong and consistent safeguards to inform communities about coal ash contaminants in their drinking water supply wells.

We have heard a lot of talk about regulatory certainty, certainty for utilities, certainty for coal ash recyclers.

But what about certainty for children and families who live near coal ash sites, certainty of transparency for their parents who rely on well water to prepare their children's meals and to bathe them at night?

These parents have the right to know if their water is safe to consume, and they have a right to access that information immediately.

And what about certainty of accountability to ensure that these families can expect an alternate water supply if it has been compromised by coal ash pollution?

North Carolina can give the Nation a lesson about what poor management of coal ash looks like. It took a disastrous spill of coal ash into the Dan River to make it clear that the protection of our communities and waterways could not rely on the goodwill of powerful utilities.

North Carolina learned the hard way that, when State regulators stick their heads in the sand to allow the unfettered disposal of coal ash, spills happen.

I would like to share with my colleagues the most recent update on well testing from North Carolina's Department of Environment and Natural Resources.

Out of 285 wells tested, 265 show contamination. That is more than 90 percent of the drinking water wells showing contamination.

This information is made possible to communities because of S. 729, a bill that the North Carolina General Assembly passed last year while I served in the legislature.

Following the Dan River spill, North Carolina now requires owners and operators of coal ash dams to identify all drinking water supply wells within one-half mile downgradient from the impoundments.

If sampling indicates high levels of contamination, the owner or operator must replace the contaminated drinking water with an alternate supply of water that is safe.

My amendment seeks to provide rural communities across the Nation with the same requirements that citizens in North Carolina now enjoy, requirements that will give them the certainty that their water is safe.

Americans in North Carolina and across the Nation have the right to access safe drinking water, especially rural communities who rely overwhelmingly on private wells as their main source of drinking water.

Finally, coal ash pollution often affects low-income communities who don't have the resources to go up against big utilities. Passing this amendment will give these communities the resources they deserve to protect themselves.

I urge my colleagues to join me in standing with the people of North Carolina and rural communities across the Nation who deserve transparency and nothing less.

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

Mr. SHIMKUS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, we applaud the activity of the State of North Carolina—and that is the whole benefit of H.R. 1734—because the Federal regulation proposed by EPA is a floor.

And through a State certification program, if the States want to ramp that up to a higher level, they can. So what North Carolina has done is able to be done under the current legislation.

But the amendment offered by the gentlewoman from North Carolina has a lot of problems, and that is why I rise in opposition.

It would require each owner of a surface impoundment to provide EPA or a State certain types of data about all drinking water supply wells, to pay for and perform groundwater sampling at these wells, provide alternate sources of water, and issue regular reports on these activities.

I understand the gentlewoman's concern, but I am not sure she gets there with this amendment.

She talks about providing certainty. Well, there is already certainty to do this under Federal law. Under the Superfund law, which we call CERCLA, EPA already has the authority to obtain information, access property, and inspect and sample wells if there is a ''reasonable basis to believe there may be a release or a threat of release.'' So there is already certainty under that law.

Not only does CERCLA already cover what the gentlewoman is proposing, but the Safe Drinking Water Act provides the same authority.

The amendment would require owners or operators of coal ash disposal units to provide an alternative source of drinking water if wells are found to exceed existing Safe Drinking Water Act standards.

But section 1431 of the Safe Drinking Water Act already allows EPA to require that alternative sources of drinking water be provided if EPA has information that a contaminant ''is likely to enter a public water system or an underground source of drinking water.''

So we already have that in Federal statute, especially if it ''may present an imminent and substantial endangerment to the health of persons.''

Beyond the duplication existing in the law that we already have, there are also concerns with the amendment.

The amendment focuses on drinking water wells that are one-half mile down-gradient from a surface impoundment. This seems an arbitrary determination, that for all States and for all impoundments, that that is where the groundwater is.

And that is definitely not true around the country. Can we be sure that this is the correct distance? Why was that number selected?

The amendment would require the owners or operators to provide an alternative source of drinking water within 24 hours.

While we completely understand the need to move quickly to provide a solution, it may not be feasible to secure an alternate source of drinking water within that short a period of time.

Perhaps of greater concern, the amendment includes key terms like ''drinking water supply well'' that are undefined, and the amendment would trump all other groundwater monitoring requirements required by the EPA final rule and State permit programs.

We are not trying to re-create existing authority. Rather, we are focused on getting the folks with the most experience and knowledge of this issue to address coal ash disposal units and ensure that they are not causing contamination.

But I assure you that H.R. 1734 already mandates that, if disposal units are causing problems, States will utilize all available authorities to ensure that their citizens have safe drinking water.

I urge my colleagues to vote ''no'' on this amendment.

I yield back the balance of my time.

□ 1730

Ms. ADAMS. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I support this amendment which would improve protection for human health and the environment nationwide, and I would like to thank my colleague from North Carolina for her hard work on this important issue and for offering this amendment.

The citizens and government of North Carolina recognize the seriousness of the risks posed by coal ash. They have experienced the devastation coal ash can cause, and that is why even Republicans in the State government have supported strengthening regulation of coal ash.

Representative ADAMS speaks from personal experience that many of us have been spared, but we should not wait for more coal ash disasters to adopt strong, preventive measures.

Mr. Chairman, I urge my colleagues to support the amendment and vote ''yes,'' but I do want to caution that, like my colleague, I will urge a ''no'' vote on final passage even if this amendment passes.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. ADAMS).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. ADAMS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from North Carolina will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. BUTTERFIELD

The CHAIR. It is now in order to consider amendment No. 6 printed in part C of House Report 114–216.

Mr. BUTTERFIELD. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 47, after line 5, insert the following:

''(m) EFFECT ON VULNERABLE POPULATIONS.—If the Administrator determines that implementation of this section would diminish protections for vulnerable populations, the requirements of this section shall have no force or effect.

Page 47, line 6, redesignate subsection (m) as subsection (n).

Page 50, line 17, strike the closed quotation mark and the final period.

Page 50, after line 17, insert the following:

''(9) VULNERABLE POPULATION.—The term 'vulnerable population' means a population that is subject to a disproportionate exposure to, or potential for a disproportionate adverse effect from exposure to, coal combustion residuals, including—

''(A) infants, children, and adolescents;

''(B) pregnant women (including effects on fetal development);

''(C) the elderly;

''(D) individuals with preexisting medical conditions;

''(E) individuals who work at coal combustion residuals treatment or disposal facilities; and

''(F) members of any other appropriate population identified by the Administrator based on consideration of—

''(i) socioeconomic status;

''(ii) racial or ethnic background; or

''(iii) other similar factors identified by the Administrator.''.

The CHAIR. Pursuant to House Resolution 369, the gentleman from North Carolina (Mr. BUTTERFIELD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. BUTTERFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of my amendment that will ensure that vulnerable communities are protected from the unsafe storage of coal combustion residuals known as coal ash.

My amendment is simple. It would prevent the coal ash regulation framework in this bill from going into effect if States fail to protect vulnerable populations from the adverse effects of haphazard coal ash storage. Vulnerable populations defined in the amendment include infants, children, adolescents, pregnant women, the elderly, racial or ethnic groups, and others identified by the EPA Administrator.

Mr. Chairman, the EPA estimates that 70 percent of coal ash impoundments are located in low-income communities. Coal ash impoundments lacking proper safeguards can fail, resulting in the leaching of harmful chemicals into surface and groundwater. Coal ash stored in pools have caused water contamination in 37 States.

In worst case scenarios, catastrophic failures cause coal ash slurry to flow directly into rivers, streams, ponds, and lakes. The largest coal ash spill in U.S. history occurred in 2008 in Kingston, Tennessee, when 5.4 million cubic

yards of toxic sludge spilled into a nearby river, causing a Superfund site which could cost $1.2 billion in remediation costs.

In February of 2014, 82,000 tons of coal ash spilled into the Dan River in Eden, North Carolina, near the district of Ms. ADAMS, who just spoke a moment ago, after a pipe burst, causing a coal ash impoundment failure. Costs for that cleanup are $300 million in the short term and could potentially have a much greater long-term impact.

Mr. Chairman, the majority of coal ash ponds are located in close proximity to vulnerable communities. It is important to protect those communities from being disproportionately affected by poor coal ash storage.

This commonsense amendment ensures that—if this bill were to go into effect—vulnerable populations are protected from the potentially adverse effects of coal ash exposure. Mr. Chairman, I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I reluctantly rise in opposition to the amendment.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we first learned about this amendment before us late on Monday. Of course, I was struck by the gentleman's deep concern for vulnerable populations, people who, because of circumstances or physical attributes, are more at risk than others when it comes to certain environmental exposures.

The gentleman knows well that I share his concern. He knows it from our committee work earlier this year on the TSCA Modernization Act. We reached a unanimous committee position in this area, in fact, throughout the bill.

I reached out to him early Tuesday morning and tried to explain the gentleman's amendment was problematic as drafted; and we offered to work with him on a version that addressed his concern without, frankly, gutting the rest of our bill.

Despite hard work from both teams and staff all day Tuesday, we were not able to reach the agreement, so the gentleman opted to revert to his original proposal which is what we are considering now.

Mr. Chairman, I see three basic problems with the amendments as being offered.

First, it gives the EPA Administrator effective unilateral veto power over the entire coal ash bill upon any EPA finding that somewhere, somehow, a vulnerable subpopulation is not protected. This, of course, undoes the entire premise of the bill that brings together the best of the EPA-proposed rule and the states' expertise and dedication in regulating solid waste through permit programs.

Second, the gentleman defines ''vulnerable subpopulation'' by listing around 10 specific population groups for protection. Everyone on his list, I agree with, including, for example, infants, elderly, and persons based on racial or ethnic backgrounds; but when we include some on a list, we can wind up excluding others.

It is a basic principle of legislative drafting. I think we should be sure to include all vulnerable groups, and we suggested to the gentleman language to do just that. I regret that we were not able to reach an agreement.

Third, Mr. Chairman, I am not sure the gentleman's amendment passes constitutional scrutiny. I understand that we, in the Congress, have sweeping power to waive requirements of law; but I don't think we can give a single Administrator power to cancel a law altogether. In my view, only the President himself has that power, subject to override votes in the Congress.

I am willing to work this out with the gentleman, and we did try. I regret very much that this amendment does not reflect these efforts, so I have to urge a ''no'' vote.

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

Mr. BUTTERFIELD. It is true that we did make a valiant effort yesterday to try to reach some common ground on this amendment, and regrettably, we were not able to get there.

Mr. Chairman, I thank the gentleman for his courtesy and his willingness to have the conversation, and hopefully, we can continue to try to legislate in a way that will protect vulnerable communities from this type of activity.

Mr. Chairman, at this time, I yield such time as he may consume to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Chairman, I rise to support this amendment. It raises an important point that should be part of our dialogue on all environmental issues, and I thank my colleague for offering it.

The unsafe disposal of coal ash poses serious risk to human health and the environment. Those dangers are particularly acute for the minority and low-income communities that often live near coal ash disposal sites.

Unfortunately, this dangerous bill would diminish protections for those communities most at risk. Important safeguards would be eliminated, and significant discretion would be given to States to choose whether or not other safeguards will apply.

This discretion will hurt hotspot communities for the same reason that they host these dangerous communities; it is because they do not have the political clout and voice that other communities have. We must recognize the disproportionate risks faced by vulnerable populations and ensure that those risks are addressed, and that is what this amendment does.

While I don't support the bill overall, Mr. Chairman, I do urge my colleagues to support this amendment and vote ''yes.''

Mr. BUTTERFIELD. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chair, I rise in support of the Butterfield-Rush-Clarke-Price-Adams amendment.

The December 2014 coal ash rule was a reasonable compromise between the EPA and the energy industry, based on sound science and three decades of research into the significant human and environmental health consequences of ash spills. I will oppose the underlying legislation because, as my colleagues have noted, it would unjustifiably eliminate, undermine, or delay the well-thought out protections included in this compromise rule.

Our amendment gets at another issue. There is a great risk that this legislation could be especially harmful to some of our nation's most vulnerable populations—and here I mean pregnant women, children, the elderly, low-income Americans—because nearly 70% of coal ash ponds are located in communities where the majority earns an income that falls below the national average, and where communities of color are disproportionately represented.

Our amendment is very simple—it would require the Administrator of the EPA to determine whether this legislation unfairly affects these vulnerable populations. If it does, its provisions would not go into effect.

Misguided deregulation is one thing; outright discrimination is another. Let's make sure that we're not prioritizing the energy industry's bottom line over the health and welfare of women, children, the elderly, and low-income Americans.

I urge my colleagues to support the amendment.

The CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. BUTTERFIELD).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BUTTERFIELD. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part C of House Report 114–216 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. PALLONE of New Jersey.

Amendment No. 4 by Mr. CONNOLLY of Virginia.

Amendment No. 5 by Ms. ADAMS of North Carolina.

Amendment No. 6 by Mr. BUTTERFIELD of North Carolina.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. PALLONE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PALLONE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 177, noes 244, not voting 12, as follows:

[Roll No. 453]

AYES—177

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—12

Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Franks (AZ)
Graves (MO)
Gutiérrez
Hinojosa
Huffman
Rangel
Richmond
Stivers

□ 1810

Messrs. BUCSHON and JODY B. HICE of Georgia changed their vote from ''aye'' to ''no.''

Ms. MENG, Messrs. PERLMUTTER, BRENDAN F. BOYLE of Pennsylvania, and DANNY K. DAVIS of Illinois changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Chair, on rollcall No. 453, had I been present, I would have voted "yes."

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 245, not voting 11, as follows:

[Roll No. 454]

AYES—177

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—245

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)

Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Diaz-Balart
Franks (AZ)
Graves (MO)
Gutiérrez
McDermott
Rangel
Richmond

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1815

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MS. ADAMS

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from North Carolina (Ms. ADAMS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 231, not voting 10, as follows:

[Roll No. 455]

AYES—192

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zinke

NOES—231

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin

NOT VOTING—10

Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Franks (AZ)
Graves (MO)
Gutiérrez
Kaptur
McDermott
Rangel

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1820

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. BUTTERFIELD

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. BUTTERFIELD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 240, not voting 13, as follows:

[Roll No. 456]

AYES—180

Adams
Aguilar
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—240

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—13

Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Costa
Duffy
Franks (AZ)
Graves (MO)
Gutiérrez
Kinzinger (IL)
McDermott
Meeks
Rangel

□ 1825

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. McDERMOTT. Mr. Chair, on rollcall Nos. 454, 455, and 456. I was detained doing a TV appearance with Rev. Al Sharpton on MSNBC, Had I been present, I would have voted "yes" on 454, 455, and 456.

The Acting CHAIR (Mr. CHAFFETZ). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1734) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, and, pursuant to House Resolution 369, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. FOSTER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. FOSTER. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Foster moves to recommit the bill H.R. 1734 to the Energy and Commerce Committee, with instructions to report the same back to the House forthwith, with the following amendment:

Page 11, after line 16, insert the following:

''(D) PROTECTING DRINKING WATER AND THE GREAT LAKES.—The implementing agency shall require that all structures that are surface impoundments meet criteria for design, construction, operation, and maintenance sufficient to—

''(i) prevent any toxic contamination of groundwater; and

''(ii) protect sources of drinking water, including the Great Lakes, the largest freshwater system in the world.

Mr. SHIMKUS. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from Illinois (Mr. FOSTER) is recognized for 5 minutes in support of his motion.

□ 1830

Mr. FOSTER. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to the committee. If adopted, the bill will immediately proceed to final passage as amended.

What this commonsense amendment does is something that I think we should all be able to agree is a good thing; it protects our drinking water. My motion to recommit would require that coal ash impoundments must be sufficient to prevent toxic contamination of groundwater and to protect all sources of drinking water, including but not limited to the Great Lakes.

Coal ash—the material left after coal is burned—contains many toxic elements, including arsenic, cadmium, chromium, lead, and selenium. Arsenic exposure can lead to nervous system damage, cardiovascular issues, urinary tract cancers, lung cancer, and skin cancer.

When people are exposed to lead, they may experience brain swelling, kidney disease, heart problems, nervous system damage, a drop in intelligence, or even death. If not handled properly, these toxins can and do leach from storage sites and contaminate nearby water sources.

I think my colleagues on both sides of the aisle can agree that we don't want our children drinking water contaminated with lead, arsenic, and other toxic compounds; but that is exactly what happens when these surface impoundments are not properly built, maintained, and monitored.

According to a 2010 EPA risk assessment, people living near unlined coal ash ponds have an increase in lifetime cancer risk as high as 1 in 50 caused by the arsenic contamination alone in their drinking water. I suspect that this is a much higher risk than any of us would accept for our families and ourselves.

I do not believe that it is an accident that coal ash ponds, as well as the coal plants that produce them, are disproportionately located in economically disadvantaged areas, placing the burden on those with few resources to defend themselves and the health of their families.

A 2011 report by the Environmental Integrity Project found that my home State of Illinois has the second most sites contaminated by coal ash in the country, and that Illinois EPA data showed groundwater contamination exceeding health standards at all 22 coal ash-related sites the Agency monitored.

We know that there are coal ash ponds contaminating groundwater. Some are located in Waukegan, Illinois, which borders Lake Michigan. Contamination in Illinois is not just a problem for the people of Illinois; it is a problem for the entire country.

Water crosses State boundaries in lakes, rivers, and underground aquifers. That is why coal ash should be regulated at the national level, but at a minimum, we should demand that groundwater and drinking water be protected.

The Great Lakes are the largest freshwater system in the world, and it is unconscionable that we are considering a bill today that would weaken protections for the water that many of us drink.

The vote on this motion to recommit is fundamentally about whether or not you believe that all people in our country deserve access to safe drinking water.

I urge my colleagues to vote ''yes'' on this motion and ''yes'' to protecting the health of millions of American families.

I yield back the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation is withdrawn.

Mr. SHIMKUS. I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. We have had a good afternoon on debating the many amendments that have been brought forward. Let me just briefly, in this short time, talk about what we have done.

We have taken the recent EPA rule and codified it. In other words, we set it into statutory language so it can be enforceable. That allows States to set up State permitting programs that can be enforced.

We trust States with what we call the Solid Waste Disposal Act, which is RCRA, to protect the Great Lakes. I think we can trust the States, in working with minimal Federal standards, to do the same thing.

The EPA, three times, has determined that coal ash is not toxic—the EPA has determined three times. In 1993, in 2000, and with their recently released rule in December, they said coal ash is not toxic.

I am going to end on two letters that we mentioned in the bill markups and on the floor. We have the group called ECOS, Environmental Council of the States, which all the States' EPA directors; and also another group, called ASTSWMO, which is the Association of State and Territorial Solid Waste Management Officials, which is in all territories; and the Western Governors' Association. There is not a single dissent. The Western Governors' Association includes California, Oregon, and Washington State.

They all support H.R. 1734 because it actually does the opposite of what my colleague claimed. It strengthens the law. It codifies our ability to enforce the result so that our communities are safe.

I appreciate my colleague's motion. I ask my colleagues to reject it, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. FOSTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 240, not voting 9, as follows:

[Roll No. 457]

AYES—184

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce

Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Barton
Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Franks (AZ)
Graves (MO)
Gutiérrez
Rangel

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1842

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PALLONE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 258, noes 166, not voting 9, as follows:

[Roll No. 458]

AYES—258

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Clay
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Fudge
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin

NOES—166

Adams
Aguilar
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Franks (AZ)
Graves (MO)
Gutiérrez
Rangel
Zinke

□ 1849

Mr. TAKAI changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Wednesday, July 22, 2015. Had I been present, I would have voted "yea" on rollcall votes: 453, 454, 455, 456, and 457. Had I been present, I would have voted "nay" on rollcall votes: 450, 451, 452, and 458.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3009, ENFORCE THE LAW FOR SANCTUARY CITIES ACT

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 114–223) on the resolution (H. Res. 370) providing for consideration of the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 2646

Mr. MURPHY of Pennsylvania. Mr. Speaker, I request unanimous consent to remove the following Members as cosponsors of H.R. 2646: Representatives JOYCE BEATTY, RON DESANTIS, and ZOE LOFGREN.

The SPEAKER pro tempore (Mr. BISHOP of Michigan). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RESTORATION OF THE U.S. CAPITOL DOME

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, today I would like to draw attention to the excellent work that the Architect of the Capitol has been doing in repairing and restoring the dome of our Capitol Building. I was recently briefed with an update on the progress they are making about halfway through the project. I am very impressed so far with the work.

Starting last June, they installed 52 miles worth of scaffolding at 25 layers around the dome. It only touches the dome at three areas so that the weight-bearing structures do not affect and damage the dome.

I am glad to know, also, that part of the repair devices come from California. In order to repair the cracks that they have in the iron structure that happens over the years, a company from Turlock, California, devised a drill and self-tapping mechanism here that requires no welding, no cornices, none of the complications you get with cast iron, therefore making repair of the dome effective and very good for the long term.

They have removed 12 layers of paint and will put on three new good layers to make the dome gleam. We have some really excellent folks, 100 people in construction at any one time, helping to make our dome gleam. That is something we can all be proud of in our country, which is what I think this Capitol symbolizes: the greatness of the United States of America.

So my hat is off to the great work of the Architect of the Capitol in restoring our dome.

REMEMBERING PHILIP SCHOLZ

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I rise to remember and honor Philip Scholz of Pleasanton, California, who died last year saving another person from an oncoming train.

In January 2014, Philip saw someone on the Caltrain commuter tracks. He reached out to try and help save this person. Both were tragically struck by the train, and while the other man suffered injuries, he survived, and we lost Philip.

Originally from Washington State, Phil attended college in the bay area at Santa Clara University. At the time of his death, he and his wife had lived in Pleasanton, my Congressional district, for over 10 years.

Phil was not just a hero for the way that he saved this man's life; that is how he lived every day. Phil loved to hike, play organized sports, and rescue animals. He was also a regular blood donor and constantly put others before himself.

His wife and friends have honored his memory by creating the Philip Scholz Memorial Foundation to support the interests and causes in which Phil believed, such as donating to the Valley Humane Society of Pleasanton.

Earlier this year, Phil was posthumously awarded the Carnegie Medal by the Carnegie Hero Fund Commission, given to recognize those who have risked their lives to save others, and given to fewer than 10,000 people since 1904.

Both the memorial foundation and this award are fitting tributes for such a courageous man. Hopefully, they serve to remind us of Phil's example and inspire others as well.

HONORING THE ACCOMPLISHMENTS OF ANDRE IGUODALA

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor Andre Iguodala, an Illinois native who was named the Most Valuable Player while playing for the Golden State Warriors in the 2015 NBA Championship series.

Mr. Iguodala's basketball career began in Illinois' 13th District. As a student at Lanphier High School in Springfield, Andre led his team to the State championship game in his senior year and went on to play for the University of Arizona. After graduation, Andre began his professional basketball career in the NBA.

Before his appearance this year in the NBA Finals, Andre proudly represented America as a member of the 2012 U.S. Olympic Team in London. He contributed to the team's efforts that ultimately earned them a Gold Medal.

This year, Andre proved to be an important contributor to the Warriors' 2015 NBA Finals success. He was a crucial part in helping to earn the team the NBA championship title, and he was awarded the MVP award with a resounding vote of 7–4.

I am proud to recognize Andre Iguodala and his many accomplishments and his dedication to basketball from his time as a youth in Springfield, Illinois, until now.

Congratulations, Andre. Congratulations to all the Warriors fans. And congratulations to those in Springfield who continue to look up to you every single day.

THE VOTING RIGHTS ACT

(Ms. FUDGE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FUDGE. Mr. Speaker, 730 days; 17,520 hours; 1,051,200 minutes; 2 full years since the Supreme Court ruled section 4 of the Voting Rights Act of 1965 unconstitutional; 2 full years without voter protections and full access to the ballot box.

Since the ruling, many Americans in States like Ohio have been subjected to restrictive voter registration requirements, paying costly fees for State IDs or waiting in line for hours on election day.

Legislation to restore the VRA and strengthen the right to vote have been offered, but the majority has refused to take them up. It is clear Congress has dropped the ball.

Two years without the full protection of the Voting Rights Act is too long. The clock is ticking. It is time to restore the VRA.

WE NEED A COMMONSENSE SOLUTION

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, Americans are appalled by the murder of Kate Steinle by a man who had been deported five times and was wanted by ICE but was let free.

In Chicago, Denny McCain was killed by a drunk driver who had a prior felony and who was in our country illegally. ICE issued a detainer, but the defendant was let out on bail and disappeared.

Donald Trump is wrong. Most immigrants to America are upstanding people who come to our country to work hard, but policies that permit these travesties should be stopped.

Unfortunately, we are not being offered a commonsense solution. We are offered the polarizing choices that we either do nothing or we harm the very institutions and citizens we are trying to protect.

What we need to do is stop local policies that ignore ICE detainers and let criminals go who are in our country illegally. I know this commonsense solution will anger people on both sides, but ask local police. They want to focus on those who have committed crimes in their communities. It is just common sense.

□ 1900

REMEMBERING FORMER SPEAKER OF THE HOUSE JIM WRIGHT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. VEASEY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. VEASEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. VEASEY. Mr. Speaker, I rise today to honor the life and legacy of one of the great leaders that stood tall here in Washington, D.C., and back home in Texas, James ''Jim'' Claude Wright, Jr., who passed away recently, back in May, at the age of 92.

And, Mr. Speaker, I am sad to announce that his wife Betty just died on July 15, just last week. So the family has been through a lot.

We have a lot of really nice stories to tell about Speaker Wright and how he has influenced so many people.

I want to begin by yielding to the gentleman from Maryland (Mr. HOYER), our minority whip.

Mr. HOYER. I thank the gentleman from Texas for yielding.

Jim Wright would have been proud of MARC VEASEY. He would have said MARC VEASEY is in the Jim Wright tradition. I am going to speak a bit about that.

Mr. Speaker, I rise to talk about a Mr. Speaker, to pay tribute to the life and legacy of a man who served this House and our country with distinction as a Member, as majority leader, and as Speaker.

Jim Wright was a man of principle and great political skill, and he relied on both during his 34 years in Congress. I have now served 34 years in Congress, and for part of that 34 years, I had the honor of serving with Jim Wright.

Just 2 years after he was first elected to represent Texas' 12th Congressional District, Jim stuck to his principles and refused to sign the Southern Manifesto, opposing desegregation, as so many of his southern colleagues did.

It was a risk, of course, Mr. Speaker, politically, but he put his belief in equal opportunity ahead of what was politically popular among his constituents at the time.

When he voted for the Civil Rights Act of 1957, it was a further sign of his courage, of his conviction, and of his adherence to the principles that have made our country so great and so respected.

In spite of breaking with many of his southern conservative Democratic colleagues on that issue, he forged friendships with them based on mutual respect and good old-fashioned camaraderie, just as he did with Members from other parts of the country and across party lines.

Jim was elected majority leader in 1976, and he was serving in that capacity when I came to Congress in 1981. Today, Mr. Speaker, I am honored to sit in the same office, H–148 in the Capitol Building, just a few feet from this floor, where Jim Wright sat as the majority leader.

If you look up toward the ceiling in one corner of our office suite, you can still see the great seal of the State of Texas painted on the wall. Emblazoned in the center of that seal is the proud lone star of Texas.

Sam Rayburn may have been one of those stars, Lyndon Johnson may have been one of those stars, and many other Texans may have been one of those stars. But in our office, that lone star stands for Speaker Jim Wright.

In many ways, Jim was that lone star who stood out at the center of our party in this House, a leader who knew how to bring Members together by inspiring them to follow his example.

He never wavered in his mission to bring Democrats and Republicans together and replace partisan divisions with cooperation, comity, and—yes—compromise, which is in such little supply on this floor right now.

Jim was an extraordinary person. He was someone who refused to take ''no'' for an answer and seemed destined to serve his community and his country.

Mr. Speaker, at age 10, he tried hard to join the Boy Scouts, even though he was 2 years shy of the minimum age to participate.

At 13, Jim lied and said he was 16 in order to enter a boxing tournament. Now, there are some 13-year-olds who can empathize with that. And, Mr. Speaker, he almost won that competition.

In high school, his classmates wrote in his class of 1939 yearbook that Jim would likely be serving in Congress by 1955. How prescient his classmates were, for he won his first congressional election in 1954.

While in college at the University of Texas, Jim learned that the attack on Pearl Harbor had occurred. Without hesitation, he decided to drop out the next day and join the Army Air Corps.

Jim flew more than 300 combat hours over the South Pacific. He flew, as my stepfather did, in the battles that were fought in the Pacific to combat those who had attacked Pearl Harbor. He was decorated for his distinguished service.

Those of us who served with Jim in the House saw the same determined spirit he demonstrated in the Army as he applied himself to serving the people of Texas' 12th District.

I had the opportunity to be at Jim Wright's funeral on May 11 of this year.

On the day of his assassination, in the last speech of his life, President John Fitzgerald Kennedy visited what he called ''Jim Wright's city'' and praised the Congressman by saying, ''I don't know of any city that is better represented in the Congress of the United States than Fort Worth,'' Texas.

I can remember the year after Jim Wright was elected Speaker of the House that I had the opportunity of chairing and emceeing a dinner that was held in Fort Worth, one of the biggest ever held there.

I will echo, therefore, that sentiment. I can think of few who served in the Congress who will be remembered as fondly by those they served with than Jim Wright, by his constituents, by his colleagues, and by his family. He loved this institution dearly.

His family and those who served with him, like me, will miss him. A grateful Nation thanks him for a lifetime of service to us all.

And I thank the gentleman for yielding to me.

Mr. VEASEY. Mr. HOYER, I thank you very much. I appreciate those very kind words about Speaker Wright, and everyone in Fort Worth and the metroplex will appreciate those kind words as well.

I also would like to recognize Minority Leader NANCY PELOSI. She is another Member of Congress who also served with Speaker Wright, someone that she was also very fond of. She had the opportunity to talk with Speaker Wright a couple of years before his passing when she was down in Fort Worth.

Mr. Speaker, I yield to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding to me on this very special Special Order.

I thank you for affording me the opportunity to visit with Speaker Wright, as you mentioned, in just the recent past. On a number of occasions and visits to Texas, I have had the privilege of basking in his glow, because that is what we did here in the Congress of the United States.

When Jim Wright was the Speaker of the House, I had the privilege to serve under his leadership for a short period of time because I was a new Member at the time.

And when he would come to this floor, to this well, to speak as the Speaker of the House, his oratory was just so compelling. People would stop what they were doing to listen to what Jim Wright had to say and how he said it.

In some ways, that was of another era that hearkened back to how the business or the work of Congress was conducted, where people would come and actually listen to the debate.

He was a man of great oratorical skill, of course, a legislative master, but he was also a person of great courage and a person of great principle.

Tonight we gather on the floor to honor the memory of this great Speaker of the House. From the service that earned him the Distinguished Flying Cross in World War II to leadership that defined his 34 years in the House, Jim Wright exemplified commitment to the bright future of America's families.

He was a great patriot. He was one of America's most distinguished and dedicated public servants, a person known for deep courage, brilliant eloquence, and a complete mastery of the legislative process.

Wright's strong, decisive leadership built an indelible legacy of progress not only in his beloved State of Texas, but around the world.

Jim Wright championed investing in our infrastructure. Jim Wright had been a member of the Transportation Committee. He helped forge a path to peace in Central America.

For that, I will always be grateful to him for his brilliance, for his leadership, and especially for his courage. It

was hard to do. Jim Wright sought prosperity for every hard-working family.

Speaker Wright was a patriot who held the respect of friends and colleagues on both sides of the aisle. Even after he left the House, Wright continued to contribute to building a better future for our country by sharing his wisdom with the new generation of leaders, as professor at Texas Christian University.

When Jim Wright was presented the gavel in 1987, becoming the Speaker of the 100th Congress, he spoke of the enduring promise of our Constitution and of the sacred responsibility it entrusts the Members of the House. He said:

> We are its custodians. Those men of principle and vision who penned the deed to freedom had in mind a very special place for the Congress. Ours is a creative and dynamic role. We alone can legislate. Only we can appropriate. We are expected to initiate, to innovate, to see the obstacles on the road ahead, and to chart a path around them for our Nation.

He went on to say:

> Let us, with gratitude for the privilege that is ours, ask Almighty God that He shall grant to each of us a portion of the vision to see the right; the courage to stand for the right; the honesty to admit human error; and the love that binds our Nation and our people together, to the end that we may continue to be not the envy of the world but an inspiration to the world—and an instrument of His peace.

Mr. Speaker, 28 years later, Jim Wright's prayer for bravery and humility still speaks to us through the decades. He was indeed a person who had the vision to see the right and the courage to stand for the right. And, for that, we are enormously grateful.

Speaker Jim Wright never stopped serving our country, and his achievements will stand forever as a living monument to his determined vision and legislative ability.

I learned a lot from Jim Wright in the short period of time that I served with him in Congress, and from time to time I share those lessons with newer Members of Congress, but also with great humor.

We hope it is a comfort to Speaker Wright's family, friends, students, and colleagues that so many of us share their grief and some come to the floor to join with them in celebrating his memory.

May his legacy long keep watch over the House he led, and may it challenge all of us to do more and do better on behalf of America's hard-working families.

Thank you to Jim Wright's family for sharing him with all of us. It was an honor to serve with him. It was even a bigger privilege to call him friend.

I will miss that I will not be seeing him from time to time in Texas. I always invited him to the Congress for any special occasion we had. And on one or two occasions, he did accept, and that was an honor for this House.

I thank the gentleman for yielding and for calling this Special Order.

□ 1915

Mr. VEASEY. Leader PELOSI, I appreciate those kind words about Speaker Wright, and I know that his family will appreciate everything that you have to share. Thank you so much.

Mr. Speaker, I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Speaker, I do want to add to my remarks because I was so taken by speaking about Jim Wright; but on the occasions I did see him in Texas, on the most recent occasions, he expressed the pride he took in your service in the Congress.

Congratulations to you, Congressman VEASEY, for carrying on that beautiful legacy.

Mr. VEASEY. Mr. Speaker, I would like to recognize, from the 30th Congressional District in Texas, the gentlewoman from Dallas, Ms. EDDIE BERNICE JOHNSON, who also was very well acquainted and was a good friend of Speaker Wright's and has some great stories about things that she shared with Speaker Wright over the years.

Now, I would like to welcome and yield to the gentlewoman from the 30th Congressional District from Dallas, Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today with great pleasure to pay tribute to the life and legacy of the former Speaker of the House, James ''Jim'' Wright, who passed away on Wednesday, May 6, at age 92 of this year.

Speaker Wright served in Congress for more than three decades and left an indelible legacy as chairman of the House Public Works Committee that is now named the Transportation and Infrastructure Committee.

He was elected by his peers as Speaker in 1987. He was born in Fort Worth, Texas, the son of a traveling salesman. He was educated at Weatherford College and the University of Texas at Austin. He dedicated his life to serving the public. He bravely served in the United States Army Air Force during World War II and was awarded the Distinguished Flying Cross for flying combat missions in the South Pacific.

Subsequently, he was elected to the Texas House of Representatives in 1946. He served as mayor of Weatherford, Texas, from 1950 to 1954; and he was elected to the U.S. House of Representatives in 1954. He was reelected 16 times.

Speaker Wright was a visionary who served the people of Fort Worth and this Nation well. He is deserving of this tribute. Because of his leadership, the House experienced one of the most prolific periods.

Speaker Wright demonstrated his skill as a political leader and a master legislator by shepherding extraordinarily complex legislation through the House. He understood that the business of legislating and good politics required good skill in the art of compromise.

Speaker Wright never backed down from a challenge. Even after leaving office, he continued to serve the public diligently. I was always able to consult with Speaker Wright, and I will always cherish those memories.

He was the author of the Wright amendment at the time the Dallas/Fort Worth airport was built. When it came time for it to change, only Speaker Wright, even in retirement, was able to get it loose in the Senate so that we could get it passed in the House as well.

Our country has lost one of its finest statesman; and I have lost a very close personal friend whose wisdom, dignity, and knowledge of the legislative process was unquestionably enviable.

He is among the most influential speakers in the history of the House of Representatives. Jim Wright is really an unforgettable public servant and leader. A man fueled by passion and concern for others, he set the bar high for his successors.

At the time of his death, he was survived by his wife, Betty, who was deceased just recently, and four children.

I stand today to honor former Speaker of the House Jim Wright and thank him for his work in the service of the people of Texas and throughout the Nation. He has left a powerful legacy that will live for generations.

I want to thank my colleague, Congressman VEASEY, for having the leadership and the vision for waiting for a while to be able to sponsor this hour in tribute to Speaker Wright.

SPEAKER JIM WRIGHT

December 22, 1922–May 6, 2015

Jim Wright, Speaker of the U.S. House of Representatives and Distinguished Lecturer at TCU, died Wednesday, May 6, 2015, in Fort Worth.

Jim Wright was born on December 22, 1922, to James Claude and Marie Lyster Wright. His childhood years were spent in Oklahoma and Texas during and after the Depression but for the remainder of his life he referred to both Weatherford and Fort Worth as home. This period in his life had a strong impact on his later legislative priorities. He finished his primary education by age 16 and soon thereafter enrolled in Weatherford College and the University of Texas in Austin. In his senior year, Pearl Harbor called many of the young men his age to enlist in the military and to serve their country. Wright enlisted in the Army Air Corps at age 19 and in 1943 flew the first of five legs in the South Pacific movement of the 380th Heavy Bomb Group as a bombardier. During World War II, men painted a personal name on the exterior of their aircraft and Wright's group flew nightly raids from Australia to nearby Japanese bases in a B–24 Liberator Bomber known as Gus's Bus.

Soon after enlisting, Jim married his college sweetheart, Mary Ethlyn Lemons, on December 25, 1942. They were married for 28 years and had five children: James C. III; Virginia; Kay; Parker Stephen and Alicia Marie. Mary Ethlyn and Parker Stephen preceded him in death. He married Betty Hay in November 1972 and they lived together in Washington, D.C. and later Fort Worth. Betty was his love and companion for 42 years. In addition to Betty and these children, he is survived by 15 grandchildren, 24 great-grandchildren and his sister, Betty Lee Wright.

Wright returned from the war and at age 23 was elected to the Texas State Legislature

as one of the youngest men to ever serve in that body. He subsequently served as mayor of Weatherford and worked in his father's rural economic development business as an advertising agent for National Trades Day. In November of 1954 Wright was elected to the U.S. House of Representatives from Texas' 12th Congressional District. In Congress, he served on the Public Works Committee, Budget Committee and beginning in 1977 as the majority leader for the Democrats in Congress. In 1987, his colleagues elected him to be Speaker of The House. He had many lasting influences in Fort Worth, including infrastructure projects such as DFW Airport, veterans' programs and environmental projects.

After World War II, Wright referred to Congress as a heady place to be, where members of both political parties cooperated to make America a world leader and to build and support a strong middle-class. He said, ''We'd had to cast aside the restraining remnants of local chauvinisms, ethnic schisms, religious bigotry, and regional mistrusts. In the words of our pledge of allegiance, we were becoming more nearly 'one nation, indivisible.''' He loved the institution.

One of the most fulfilling days in Wright's political career came on Nov. 22, 1963, when President John F. Kennedy visited Fort Worth to meet and speak to residents. And less than two hours after speaking in Fort Worth, it became one of the most tragic in all of history when President Kennedy was shot. The whiplash of that day's emotion haunted Jim as one of the happiest then one of the saddest moments in his lifetime. Before leaving Fort Worth, President Kennedy said, ''I know of no other city in the United States that is better represented in the Congress of the United States than Fort Worth.''

Wright's accomplishments as a U.S. Congressman were many. Among his proudest memories he would recall legislation creating the Clean Water Act, interstate highway system, benefits for returning veterans, and the honor he felt as a witness and participant to creating peace. He visited the Middle East, facilitating the initial meeting that lead to the accord between Israel and Egypt in 1977; and in ending the internal strife in Nicaragua in 1988 by leading a compromise to end the U.S.-financed war between the Sandinista Government and the Contras. In foreign affairs, Wright enjoyed the role of bipartisanship and peacemaker, and Nicaragua was perhaps the most difficult of all bipartisan efforts. To the surprise of an increasingly partisan group of legislators wanting to overthrow the Nicaraguan government, his approach led to an end to U.S.-financed weapons and to constructive talks among the Nicaraguan leaders and eventually to democratically-held elections.

His success led a similar group of partisan legislators to file ethics charges against him, and even though the initial charges against him were dropped for lack of evidence, the persistence of what had become an increasingly partisan and combative Legislative Branch led to his resignation. In his resignation speech he said, ''When vengeance becomes more desirable than vindication, harsh personal attacks on one another's motives, one another's character, drown out the quiet logic of serious debate on important issues, things that we ought to be involved ourselves in. Surely, that's unworthy of our institution, unworthy of our American political process. All of us in both parties must resolve to bring this period of mindless cannibalism to an end. There's been enough of it.'' To Jim's constant dismay, he did not live long enough to see the end or even a diminished attack by partisan efforts.

After returning to Fort Worth, Wright put his official office papers with the TCU Library and for more than 20 years, he taught at TCU a course on ''Congress and the Presidents.'' His intention to keep the classes small was not possible and his classes continued to grow by registering interested students. In December 2010, his eyesight had become an insurmountable challenge as a teacher and he retired.

Jim Wright approached life with an eager and courageous mission in each pursuit. He had the balance of knowledge, intuition, direction and wisdom that comes from experience. His ability to forgive and move on was amazing, and his desire to overcome was persistent. When he loved he did it with all his heart and he loved this lifetime. Horace Greeley had a quote that Wright used—''and fame is a vapor, popularity an accident, riches take wings, those who cheer today may curse tomorrow, only one thing endures: character.''

Well done, Jim Wright, your character endures and you will be forever remembered.

—After a private conversation with Dad in 2013

Ginger

Mr. VEASEY. Mr. Speaker, I thank the Congresswoman from the 30th District, Ms. EDDIE BERNICE JOHNSON, for her very kind words about Speaker Wright. He was very fond of you and appreciated your leadership in an area that he excelled in, which was transportation. I just want to thank you for your kind words.

Now, I would like to recognize from Houston, Texas, the distinguished gentlewoman, SHEILA JACKSON LEE, who would also like to have a few words about Speaker Jim Wright.

So many Texans that served with Jim Wright and those who didn't have the opportunity to serve with him really appreciated his style and everything that he stood for. He was such a statesman.

You can tell how his influence was felt because so many individuals like SHEILA, so many other people that knew the Speaker reached out to me after his death and wanted to send condolences to his friends and his family, and she was just thankful that he was so influential in SHEILA JACKSON LEE's life as well.

Mr. Speaker, I yield to the gentlewoman from Houston, Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I am delighted to be here with my colleagues from all over the Nation, Leader PELOSI, Whip HOYER, and my colleague as well, Congressman JOHNSON from Dallas.

We all gathered at the funeral of Speaker Wright, and it was almost like a reunion of family members from the many political persons, public servants who not only through the years have known Speaker Wright, but really, those who came to honor him because of the iconic role that he played in the history of Texas and the history of America.

We are excited that he was a Speaker that cared about people and cared about Members. He, as was indicated, was born in Fort Worth, loved Fort Worth, and never wanted to leave Fort Worth.

I think it is interesting that he was the son of a professional boxer who turned tailor. After the attack in Pearl Harbor in December 1941, he left college to enlist in the United States Army and flew combat missions in the South Pacific, earning the Distinguished Flying Cross and Legion of Merit. He was of the Greatest Generation.

He served in the Texas House. From his hometown of Weatherford, he became the mayor for his boyhood home. He served in that post for 4 years, from 1950 to 1954, before his first congressional victory.

Speaker Wright had a way with words. He was an eloquent speaker. He was a disciple of House Speaker Sam Rayburn, a fellow Texan. He was also a disciple of another Texan, Lyndon B. Johnson, who served in the Senate during Wright's initial years in Congress before becoming Vice President in 1961.

He was in the Presidential motorcade on November 22, 1963, when President John F. Kennedy was assassinated in Dallas. To describe the depth of sadness that engulfed us that day defies vocabulary, he once said, recalling how the friendly mood of the Dallas crowds turned to sheer terror and horror. It was that day that his friend, Lyndon B. Johnson, became the President of the United States.

He worked hard for the people of Fort Worth. He was a person of deep courage, brilliance, eloquence, and complete mastery of the legislative process. He was decisive and strong, and he handled his Texas Members.

He championed the causes of Texas. He believed in the goodness of America, and he was a great achiever. He loved the Boy Scouts. As I indicated, his father was a boxer, and he started out doing that as well.

I come today to honor him as a great American and to add to this tribute that he served with President Lyndon Baines Johnson when the Civil Rights Act and the Voting Rights Act were passed.

He was a friend of one of my predecessors, the Honorable Barbara Jordan. They served together. They knew each other. They were strong Texans, but they loved America.

I know that, as we look to promoting his legacy, besides caring about this institution and loving America and honoring our men and women in the United States military, I know that it is also time, in his name, to bring forward the Voting Rights Act reauthorization that will, again, restore and invest in the rights of people to vote and will capture what he understood to be the right way to handle America's business, and as well, it captures his friend's vision, the Honorable Barbara Jordan, who, in fact, wrote the language to add Texas to the Voting Rights Act.

I thank you, Congressman, for having this very special Special Order for us to thank a dear friend who, again, I salute tonight as a great American.

To his family, thank you so very much for sharing Jim Wright—Speaker

Wright—a great Texan and a great American, with all of us.

Mr. Speaker, today, we mourn the loss of one of America's most distinguished and dedicated public servants: Speaker Jim Wright.

From the service that earned him the Distinguished Flying Cross in World War II to the leadership that defined his 34 years in the House, Jim Wright exemplified commitment to the future of America's families.

Jim Wright represented Fort Worth in Congress for 34 years. Jim Wright was a peacemaker, local politician and international leader and a consummate Democrat who offered his hand for bipartisanship.

Jim Wright worked for the people of Fort Worth, whether it was winning a bomber contract for a Fort Worth defense contractor or helping an individual with their Social Security.

Speaker Wright was a person of deep courage, brilliant eloquence, and complete mastery of the legislative process.

Speaker Wright's strong, decisive leadership built an indelible legacy of progress, not only in his beloved state of Texas, but around the world.

Speaker Wright championed prosperity for every working family, and helped lead the way to peace to Central America.

After he left the House, Wright continued to share his wisdom with new generations of leaders as a professor at Texas Christian University.

Jim Wright was an achiever. When he was 10 years old, he tried to join the Boy Scouts, two years ahead of the minimum age.

As a 13-year-old boxer, he told officials he was 16 in order to enter an AAU tournament, where he won two bouts and lost the third in a close decision.

Jim Wright became hooked on history and decided to become a congressman while he was sidelined from high school football by a knee injury.

Jim Wright was 23 when he started his political career when he was elected to the Texas Legislature.

He never stopped serving our country, and his achievements will stand forever as a living monument to his determined vision and legendary ability.

We hope it is a comfort to Speaker Wright's family, friends, students and colleagues that so many join them in grieving and honoring such a wonderful man. Today we bury a favorite son of Texas.

Speaker Wright was a man who loved his country and today we mourn his loss. He was the Speaker of the House in Congress and a humble man.

During the funeral many spoke to his ability to forgive and the words of his great-granddaughter will always stay with me which was that when we leave the funeral today she wanted us to think of hope over despair and prosperity over scarcity.

If the Congress can begin to turn its attention to these philosophies America will be a better nation.

We should always pay tribute to those who helped make Texas great. Speaker Wright has left us with a remarkable story.

Mr. VEASEY. Mr. Speaker, I want to thank the gentlewoman from Houston, SHEILA JACKSON LEE, for sharing so many great stories and fond memories of Speaker Jim Wright.

I would like to add a few words of my own. Jim Wright was very influential to me. When I was elected into the State legislature in 2004 was when I really started to get to know him well. I had known him previous to that when I was an aide for United States Congressman Martin Frost, who was also from Fort Worth.

Once I got into the State legislature, I got to know him even more, and I realized very quickly what a great storyteller he was. Speaker Wright had some amazing stories from people that he had met over the years, people that influenced him in his life.

So many people always wonder how he became the great orator that he was. There were so many stories that I heard early on about before the House had C–SPAN—now, we can watch coverage of the House of Representatives 24 hours a day, thanks to technology—but Speaker Wright was such a great orator that, before C–SPAN came into effect, you heard stories about staffers coming to fill the galleries so they could come and hear this man from Fort Worth, Texas, come in and give speeches because they were so amazing.

I asked him: How did you become the great orator that you were when you were in the U.S. House of Representatives and that you still are today? Even, unfortunately, with the oral cancer that he had—his speech had been hampered, but it was still amazing, the wisdom and the knowledge that he shared.

As you have heard from so many speakers tonight, boxing was a very important part of life. He loved boxing. It was something that he watched over the years. When he was growing up in Weatherford, Texas, that was one of the ways how young boys and men distinguished themselves, was their boxing skills on the street.

He told me that, one day, his dad told him that while it was great that he was able to distinguish himself with his fists through boxing, that if he really wanted to improve himself and improve his lot in life, that he would learn how to be a great orator, that he would learn what the anatomy of a great speech was all about; so Jim Wright, at a very early age, decided that he was going to learn how he could become a better speaker, and there are so many stories like that.

I went to his office right before I was sworn in, in 2012, and I asked him to just share some of that wisdom with me as an incoming new Member of Congress. He told me so many stories that day. One of them related to boxing.

Many of you know Larry Hagman from ''I Dream of Jeannie'' and from the TV series ''Dallas.'' Some of you may know that Larry Hagman's mother is Mary Martin of Peter Pan fame. Mary Martin was actually from Weatherford, Texas, and she knew Jim Wright and knew Speaker Wright's family.

I said: Larry Hagman told a friend of mine that he ran into that you taught him how to box; is that true?

Speaker Wright began to tell me the story about his mother thought that maybe he needed to get back to his Texas roots and have a little bit more Texas upbringing in him, and so she sent him back to Weatherford, Texas, with his dad; and Speaker Wright taught him how to box. That was how Larry Hagman learned how to become a boxer.

One of the areas that Speaker Wright—and NANCY PELOSI talked about it a lot—how he was a big influence in my life and so many others' lives—and I would be remiss if I did not mention some of the former Members that also he was very influential in their lives.

Congressman Martin Frost, who was the ranking member of the Rules Committee, Speaker Wright was very, very influential in getting him on the Rules Committee his freshman year in office.

□ 1930

Also Secretary Pete Geren, a former Member of Congress and Secretary of the Army and Air Force, again, Speaker Wright was very influential early on in his career. Pete Geren was actually Speaker Wright's successor in Congress, and that was also very important to him.

Many people know that Speaker Wright was known as a very strong Democrat. He was someone that loved the Democratic Party, that was very proud of his Democratic roots and had a very strong relationship with organized labor in Tarrant County. When you talk to people that are longtime employees at Lockheed Martin, at General Motors, at American Airlines, the things that he did with transportation, all of those things were very, very important for who he became.

In addition to that, he also learned a lot from some of the failures and mistakes that he made. He told me that his first term in the State legislature, that it was not easy, that he didn't get along with the speaker of the house in the State legislature.

When he was elected here, he wanted to make sure that he got along with Sam Rayburn when he was elected to Congress. He told me: Marc, I have learned my lesson from when I was in the State legislature, and I really wanted to be on the Foreign Affairs Committee because that was what was really happening back in the 1950s when I first got elected. With the cold war going on, I wanted to be on that committee. It was something very important to me. Speaker Rayburn put me on the Public Works Committee—which is now the Transportation and Infrastructure Committee.

He said, That ended up that was a mistake that I made because that committee ended up really making my career. It is hard to think that I would have become majority leader and Speaker of the House had I not been on the Public Works Committee—which is where Speaker Rayburn put him.

Again, in addition to being that strong, strong Democrat that he was, I can tell you that bipartisanship was

something that he was very fond of because he talked a lot after his career in Congress about how bipartisanship helped make this country strong and about how it helped make him a better Member of Congress.

If you go and look in the archives of the Star-Telegram from just a couple of months ago after he passed, you will notice the remarks that were given from a very bipartisan group of people in the Dallas/Fort Worth area. ROGER WILLIAMS, also from Fort Worth, he was quoted in the Star-Telegram; KAY GRANGER, former mayor of Fort Worth, was also quoted in the Star-Telegram—about how Speaker Wright did so many great things for Fort Worth.

One of the areas that he liked to talk about was the Voting Rights Act and how important voting rights were to him and also Eisenhower and the freeways. He told us a great story about how he and a few other Congressmen went to Eisenhower about getting the interstate highway bill passed and how President Eisenhower said, Let's get the votes; let's get it done—and how they came together in a bipartisan way in order to get that legislation done.

My favorite story that he told me about is the importance of bipartisanship. I asked him: Mr. Speaker, I am going to be a new Member of Congress, and so many people talk about how Congress is broken and they don't work together.

I said: Do you have any theories on why that is?

He said: That is a very good question. When I was in Congress, we spent a lot of time getting to know one another. We spent a lot more time in Congress than we do today.

He said: I want to tell you a story. One time, I told my daughter, I want you to go get a job—and this was before he was majority leader—I want you to go and get a job, and I do not want you to use my name. Whatever you do, do not use my name. She came home that evening and she said, Daddy, I found a job. He was like, Oh, great, where did you find a job? She said, I got a job in the minority leader's office.

Speaker Wright, a great storyteller that he was, he said: I just exploded, and I said, What, you got a job at the minority leader's office? Did you tell them who I was? She said, Dad, you told me not to use your name.

He said that he immediately picked up the phone; he called Gerald Ford up, and he said, Gerald, I need to apologize to you. I want you to know that my daughter has accepted a job in your office, and she is to report to your office first thing in the morning and apologize and say that she cannot accept the job.

He said that Gerald Ford said to him: Jim, if your daughter wants to work here, it won't be any problem at all.

He said: Marc, can you imagine that happening today?

It really stopped and gave me pause just about how much things have really, really changed.

Speaker Wright was an amazing person, a person of great wisdom, intelligence, humility. He would talk about how he lost the Senate race and it was fine for him to lose that special election for the U.S. Senate because things ended up working out for him in the U.S. House of Representatives. He could actually find humor even in something that was a big defeat for him.

I just wanted to thank him, and I am so thankful that our paths crossed and that he was such an influence to me and so many others. I can tell you that the city that I am from, Fort Worth, Texas, that the city is the great city that it is today because of the work and the statesmanship of Jim Wright.

His legacy continues to live on through so many others that continue to serve in Congress today that are in other positions in office and in business.

Mr. Speaker, I am just very, very grateful and very blessed that I knew Speaker James Claude ''Jim'' Wright.

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to honor the life and legacy of a great American and a great Texan, former Speaker of the House Jim Wright.

Speaker Wright served our nation over five decades, first as a B–24 bombardier in the Pacific during World War II, where he earned the Distinguished Flying Cross. Returning home to Texas, Speaker Wright was elected to the Texas State Legislature and then as Mayor of Weatherford.

In 1954, Jim Wright would be elected to Congress, where he would serve for the next 34 years, 10 years as Majority Leader, and Speaker of the House from 1987 to 1989.

In Congress, Jim Wright was known for his hard work on behalf of the 12th District, centered in Fort Worth, Texas. Through his work on the House Public Works Committee, then-Rep. Wright secured important improvements to the Trinity River flood control and the revival of the Fort Worth stockyards area and become an important advocate for the local defense industry.

As Speaker, Jim Wright guided the passage of significant legislation, including amendments to the Clean Water Act, the 1987 highway bill and expanded education benefits for military personnel.

After leaving Congress, Speaker Wright said that his biggest achievement was sponsoring the bipartisan peace accord between the Sandinista government and the contras in Nicaragua, which had been fighting for a decade.

Speaker Wright passed away on May 6, 2015, in his hometown of Fort Worth, at the age of 92. The passing of Speaker Wright is the end of an era in Texas politics. He was among the last of our great state's legislative giants, who learned his trade from fellow Texans, Lyndon Johnson and Sam Rayburn.

Speaker Wright was a leader dedicated to bettering our country, and he will be sorely and dearly missed by his family, friends, and this Congress.

FIFTH ANNIVERSARY OF DODD-FRANK ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. HENSARLING) is recognized for 60 minutes as the designee of the majority leader.

Mr. HENSARLING. Mr. Speaker, there are a number of us who are gathered for a very important discussion tonight regarding the fifth anniversary of the Dodd-Frank Act.

Before we do, there is another important anniversary that needs to be recognized in America today. For that, Mr. Speaker, I am happy to yield to the gentleman from Illinois (Mr. SHIMKUS).

65TH WEDDING ANNIVERSARY OF GENE AND KATHY SHIMKUS

Mr. SHIMKUS. Mr. Speaker, I rise today to give thanks to God and publicly celebrate the 65th wedding anniversary of my mom and dad, Gene and Kathy Shimkus.

Dad was raised by his grandparents, Charles Frederick and Dorothea Heinicke. He has been a lifetime member at Holy Cross Lutheran Church and School. Mom was raised in State Park, just down the road from Collinsville, by Harvey and Myrtle Mondy.

They are both graduates of Collinsville High School, dad in 1946 and mom in 1949. Dad started working for the telephone company in high school, and mom worked as a telephone operator.

Mom and dad got married on July 22, 1950, 65 years ago today. Dad was drafted during the Korean war and left for Korea. On August 3, 1951, their first child, Bill, was born. Dad returned from the war and continued to work for the telephone company and then various telephone companies as the industry changed. Using the GI Bill, he also received his associate's degree from Southern Illinois University Edwardsville.

Mom started her career and one that she has kept throughout known time as mother and now matriarch of the family. From here, the family grew as Dorothy, Joan, Helen, Jean, Jana, and I were born. The kids grew up to become a pastor, teacher, healthcare worker, CPA, and even a politician.

Bill now lives in the Northwest and is married to Bette. They have three children, Matthew, Maria, and Emily. Dorothy has two boys, Terry and Dusty. Joan is married to Bernie and has two children, Niki and Tim. Karen and I are married with sons David, Joshua, and Daniel. Helen is married to Pat and lives in Tennessee. They have two daughters, Jennifer and Katelyn. Jean has two sons, Adam and Gene, as well as a daughter, Elizabeth. Jana is married to Chris. There are nine great-grandchildren.

In an era where everything seems to be disposable, it is helpful and uplifting to see something that has lasted. For things to last, you have to work at it.

Thank you, Mom and Dad, for teaching us about life. We have survived the good and the bad and, for the most part, have done it united as a family. The Shimkus clan will celebrate this accomplishment through this weekend by just spending time together.

Our gathering culminates with attending church together on Sunday. We have much to be thankful for, but mostly for God's undeserved love in sending his son, Jesus, to die on the cross and rising again for our salvation.

Congratulations, Mom and Dad, and thank you for being the parents that you are.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the Special Order.

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

There was no objection.

Mr. HENSARLING. Mr. Speaker, before we get started, I just want to thank the gentleman from Illinois to remind us of what is truly important in life having much to do with our faith and our family, and I thank him for allowing us to be a part of that very special moment for him and his parents and his whole family tonight.

Now, to the topic of tonight, Mr. Speaker. This week marks the fifth anniversary of the passage of the Dodd-Frank Act, which was passed in the wake of the great financial crisis of 2008.

We were told at the time, Mr. Speaker, that it would lift our economy, end too big to fail, and promote financial stability. We now have 5 years of data; we have 5 years of experience. The evidence is overwhelming, Mr. Speaker: 5 years after the passage of Dodd-Frank, the big banks are bigger; the small banks are fewer; the taxpayer is poorer.

We will explore over the next hour, Mr. Speaker, all the different ways that regrettably, regardless of what good intentions might have been behind this 2,300-page bill—the most massive rewrite of our financial laws in America since the New Deal, 400-plus new rules that have been promulgated, only two-thirds of which—or not quite two-thirds have been finalized.

What this has done in many ways, Mr. Speaker, is to make the American people and our economy less stable, to make us less prosperous and, most importantly, Mr. Speaker—and most regrettably—how this law has made us less free.

We need to work together. House Republicans are working to ensure that every American has economic opportunity to climb the ladder of success, to pursue happiness, to achieve financial security.

Today, 5 years after Dodd-Frank, we have way too many low- and moderate-income Americans who lose sleep at night worrying about their meager paychecks, worrying about their shrinking bank accounts, and worrying about their children's future because, again, Mr. Speaker, Dodd-Frank has made us less stable, it has made us less prosperous, it has made us less free.

Mr. Speaker, I am joined by many Members of the House Financial Services Committee that I have the honor and responsibility to chair. I am so proud to call them colleagues and for their great work, to try to extend, again, economic opportunity and financial security to all Americans. They know firsthand how working men and women have suffered under this Dodd-Frank Act lo these many years.

I want to start out yielding to the gentleman from New Jersey (Mr. GARRETT), who happens to be the chairman of the Capital Markets and Government Sponsored Enterprises Subcommittee.

He knows firsthand that in order to have the benefits of free enterprise, in order for small businesses to be capitalized, you have to have very vibrant and healthy capital markets.

Probably more so than anyone in Congress, he is most qualified to talk to us about what Dodd-Frank has done to our capital markets and what it has done to stability, what it has done to prosperity, and what it has done to freedom.

□ 1945

Mr. GARRETT. I thank the gentleman from Texas for holding this Special Order tonight.

Mr. Speaker, birthdays are usually a cause of celebration, but, this week we mark 5 years—the 5th birthday—of one of the most overreaching and damaging laws in recent memory that was heaved on our economy.

Now, when the Democratic majority passed Dodd-Frank, there were three big promises they made about this legislation, first, that the legislation would end too big to fail; second, that the legislation would protect consumers; and, third, that Dodd-Frank would make our economy more competitive.

Why don't we take a look at each one of those one by one and see how they have worked out so far.

Promise number one, Dodd-Frank will end too big to fail.

First, did Dodd-Frank really end too big to fail?

For starters, by just about every measure, the biggest banks today are even bigger than they were before the financial crisis while community banks and other small lenders continue to be shut out and shut down around the country.

In fact, according to recent statistics, the five largest banks in the Nation now control roughly half of all of the assets in our banking system. To put that in another perspective, that means that outside of these institutions it takes the collective assets of over 6,000 banks in order to equal the number of assets held by the five largest banks.

Moreover, the so-called resolution authority included in title II of Dodd-Frank is not, as our former colleague Barney Frank put it, a death panel for banks. It is, in fact, instead, a mechanism for future bailouts enshrined now into the law.

This is not just a case of baseless accusations. One need only look at the actual text of Dodd-Frank to understand how it allows for big banks to be bailed out—by whom?—by you, the American taxpayer.

For example, Dodd-Frank gives the FDIC, the Federal Deposit Insurance Corporation, the authority to do two things, first, purchase the debt from the creditors of a failing institution at par or even above par and, two, pay any obligations of an institution that it believes are necessary and appropriate during that time of crisis.

Dodd-Frank, of course, also created the so-called FSOC. What is that? That is the Financial Stability Oversight Council, which during its current existence has done virtually nothing to enhance the stability of the financial market.

In fact, if you look at it through its systemically important designations of institutions, FSOC has gone in the other direction in that it has now put taxpayers on the hook not just for banks and bank bailouts, but for the potential bailout of nonbank institutions as well.

So a law that has made the big banks bigger, that has given regulators such a vast expansion of authority, and that has put taxpayers now at so much risk cannot conceivably be described as having ended too big to fail.

It is not just those on our side of the aisle who are skeptical of Dodd-Frank's claims. Here are two examples.

The GAO, in a January 2013 report, concluded that there ''is no clear consensus on the extent to which, if at all, the Dodd-Frank Act will help reduce the probability or severity of a future crisis.''

Cornelius Hurley, a former senior official at the Federal Reserve, stated recently, ''If the whole purpose of Dodd-Frank was to eliminate the concept of too-big-to-fail and you judge it by that standard, then it's a failure.''

So, by any objective measure, it is clear, I think, that they failed at promise number one.

Let's look now at promise number two, Dodd-Frank will protect consumers.

How has it protected consumers?

On this matter, it depends, in large part, on what you mean by consumer protection.

You see, the drafters of Dodd-Frank and many of my colleagues on the other side of the aisle believe that consumer protection involves complete bureaucratic control over the entire credit market, which gives a handful of individuals right here in Washington, D.C.—the bureaucrats—the ability to decide what kind of mortgage you want, what kind of credit card you are going to get, the kind of student loan Americans should have access to, and so on.

Hence, the creation of the unaccountable CFPB and the incredible amount

of authority now that they have been given is given to a single agency or, actually, to a single dictator there, if you will.

Real consumer protection doesn't involve unelected and unaccountable bureaucrats who make decisions on behalf of you, the American citizen. No.

Real consumer protection involves ensuring competitive credit markets and empowering the consumers to make their own choices based off of well-disclosed information in the marketplace. By this measure, Dodd-Frank and the CFPB have again failed miserably.

Take, for example, the CFPB's qualified mortgage rule, which became effective just last year. According to a study from the Federal Reserve Board, roughly one-quarter of Americans right now who obtained mortgages in 2010 would not have qualified for those mortgages that they did get under the QM rule, increasing the likelihood then that millions of Americans will find it harder in the future to actually qualify for a mortgage.

Moreover, the effect of QM is even more pronounced on certain segments of the economy, such as minority borrowers. The same Federal Reserve study noted that about one-third of both African Americans and Hispanic borrowers would have been ineligible to have gotten a mortgage under the QM loan.

Many of the Bureau's initiatives regarding credit cards and other loans will ultimately have the same effect, making it either impossible or too expensive for individuals who are starting businesses to draw on a line of credit.

So it is clear that, on promise number two, Dodd-Frank is not protecting consumers and that it is, in fact, harming consumers and making it harder for them with all of this red tape.

The next and final promise, number three, is that Dodd-Frank will make our economy more competitive:

The third promise, that it will make our economy more competitive, clearly has not come true. In fact, Dodd-Frank is a direct cause of the economic struggle that millions of Americans continue to face today.

For a minute, just take a look at the sheer breadth of regulation that has come out of Dodd-Frank. The law provides so much regulation that it is a burden on the economy.

The Davis Polk law firm performed a public service back in 2013 when it estimated at the time that, for every one word of text in Dodd-Frank, 42 words of regulations have been produced. Since that time, the number has even grown.

How can our economy possibly be more competitive today when such a huge number of complex and burdensome regulations have been implemented over the last 5 years?

We need to look no further than the growth of our economy to figure this out, which actually shrank during the first quarter of this year, another reminder that we remain mired in the weakest economic recovery since World War II.

So Dodd-Frank has actually served to weaken our economy, not to have strengthened it, and the millions of Americans who have experienced a weak job market and decreased opportunity are the ones that are feeling the pain of Dodd-Frank.

Since 2011, the Financial Services Committee, under the chairmanship of JEB HENSARLING from Texas, has led the charge to roll back some of the most damaging provisions of Dodd-Frank, and I commend the chairman and all of my colleagues on the committee for their continued efforts in this regard.

Unfortunately, it now appears that many of these efforts, which used to be bipartisan in nature, are running up against the rigid ideology which believes that Dodd-Frank was chiseled into stone and should never be changed.

I believe that their view is unsustainable as we continue to see evidence of the harm that Dodd-Frank is inflicting upon Americans, and hard-working Americans at that.

Our committee and this Congress must continue to do the important work that will make it easier for our fellow citizens to get a job, to obtain a credit card, to obtain a mortgage, and to create opportunities for themselves and their families.

Mr. HENSARLING. I thank the gentleman for his comments tonight, and I thank him for his leadership on our committee.

Again, Mr. Speaker, it is the unhappy occasion of the fifth anniversary of the signing of the Dodd-Frank Act, again, weighing in at 2,300 pages.

It is so sad to realize, as the gentleman from New Jersey pointed out, that so many of the promises that were made have not been kept and they have not been realized.

Again, the big banks are bigger, the small banks are fewer, and our hard-working constituents—many of them—are worse off. Many of them have stagnant paychecks. And so many of them have smaller bank accounts. What they have seen is free checking cut in half in America, and bank fees have gone up.

This is all because of the Dodd-Frank law putting an incredible mass of regulations upon our community banks and on our credit unions, those who serve our hard-working families and our small businesses. Regrettably, in so many different ways, we are less prosperous, we are less stable, and we are less free.

I was there 5 years ago, Mr. Speaker, at the conference committee. Republicans had an alternative. We had a bill that, frankly, was written and filed before the Democrat bill was, but there was no willingness to negotiate, no willingness to discuss, no willingness to compromise. So we ended up with Dodd-Frank, and the American people are poorer because of it.

Now, Mr. Speaker, I am very happy to yield to the gentleman from Illinois (Mr. HULTGREN), a very hard-working member of our committee, a gentleman who brings a lot of expertise to this committee on a number of matters, especially insurance, which is near and dear to the financial security of so many of our constituents, and I am happy to get his views on this anniversary of Dodd-Frank.

Mr. HULTGREN. Mr. Speaker, I rise today to mark 5 years of overly burdensome and costly banking regulations and a failed opportunity to address fundamental problems in our economy.

Leading up to 2008, a perfect storm of easy lending, pushed by Washington bureaucrats, coupled with a spider web of duplicative, conflicting, and nonsensical regulations, led to a complete breakdown of the housing market.

A lack of regulation was not the problem. In fact, regulation increased in the 10 years leading up to the crisis. Community banks were faced with determining which of several regulators to answer to first.

Small businesses faced ever-expanding compliance mandates, raising the cost of doing business. Yet, at the time, those in power seized on the opportunity to never let a serious crisis go to waste in order to reward regulators with much more authority.

The fundamental issues of the housing crisis were never addressed. Those who put in place the policies that encouraged risky borrowing and lending were never held accountable.

Instead, the Dodd-Frank Act doubled down on the misguided government policies that caused the crisis, doing nothing to stop another from happening in the future.

Dodd-Frank's vast expansion of regulatory authority has not helped lift the economy or helped Americans looking to pursue opportunities for themselves and their families.

It failed to end too big to fail. It failed to protect consumers who rely on the community banks in their local towns. It failed to help small businesses in search of funds to restart and rebuild. It failed to tackle much-needed housing reform. And it failed to protect Americans from a power-hungry, regulation-happy Federal Government that was bent on expanding its power.

Five years later, struggling families, struggling small businesses, and struggling community banks are the collateral damage of Dodd-Frank and its thriving Washington regulators.

The largest institutions have gotten larger. More than 500 community banks have failed. And the number of bank options available to consumers continues to decline due to crushing regulatory burdens. This disturbing trend must be reversed.

Regulation must not be one size fits all. Banking regulators should tailor regulations for community banks, those local financial institutions that partner with families and small businesses to help strengthen our communities.

Decreasing the regulatory burden will allow our Nation's financial institutions to devote more time to the needs of consumers instead of devoting more time to the whims of regulators like the CFPB. Decreasing the regulatory burden will allow local banks to create innovative financial products and services for the benefits of their customers.

Even as Dodd-Frank remains in effect, I and the Financial Services Committee will continue to stand up for Americans and stand against an overreaching Federal Government.

On this anniversary of the law, now is the time to recognize and to respond to Dodd-Frank's vast imperfections and to also pursue true housing reform that promotes responsible lending and borrowing.

Again, I thank Chairman HENSARLING for his great work, and I thank my colleagues on the Financial Services Committee.

Mr. HENSARLING. Once again, I thank the gentleman for his comments and for reminding us, yet again, that the narrative that the left has fostered is a false narrative.

Mr. Speaker, we were told that there was this massive deregulation that somehow led to all of these bad mortgages and that the world was blowing up. Yet, as the gentleman from Illinois pointed out, for 10 years, we have had increased regulation.

It has increased, I believe, by almost 20 percent more in regulations. You had Sarbanes-Oxley. You had FIRREA. You had FDICIA. We are very good at acronyms in Congress, but we had more and more regulation.

It wasn't deregulation that caused the crisis. It was dumb regulation. It was dumb regulation by the government that was incentivizing and cajoling and mandating financial institutions to loan money to people to buy homes that they couldn't afford to keep.

□ 2000

What a tragedy. What a tragedy to put somebody in a home they can't afford to keep. That is the cause. Fannie and Freddie at the epicenter, and the Dodd-Frank bill was totally silent on the issue—totally silent on the issue—and people suffered. People suffered.

I still remember my friends on the other side of the aisle said let's roll the dice a little on this affordable housing goal of Fannie and Freddie. Well, the dice got rolled, and the American people lost, and we had the great American financial crisis. Now they are doubling down. Even more regulatory burden dragging down our financial institutions, making us less stable, taking away our freedom and prosperity. That is just wrong. That is why we have to commit ourselves: No more. It is time that we have to replace this law. Five years later, it is obvious.

I yield to the gentleman from North Carolina (Mr. PITTENGER) to hear his views on Dodd-Frank as well.

Mr. PITTENGER. Mr. Chairman, thank you for your leadership on behalf of the American people to bring opportunity to them.

Mr. Speaker, I rise today on the fifth anniversary of the burdensome and overreaching Dodd-Frank Act. As I have built two businesses from scratch, I understand the risks and sacrifice and the hard work necessary to grow a business and create jobs.

Unfortunately, Dodd-Frank has made it incredibly difficult for American small businesses to raise capital, and for the first time in 35 years, small business deaths have outnumbered small business births. Dodd-Frank was supposed to protect the American people. Instead, it is hurting the economy and it is costing jobs, particularly low- and moderate-income families. Dodd-Frank is strangling the economy and job growth by creating a compliance nightmare of over 400 new rules and regulations.

I am not antiregulation, but the pendulum has swung too far. Unfortunately, Dodd-Frank goes overboard, fixing problems that don't exist and ignoring the root cause of the financial crisis, which was the government requirement for easy credit for those who were a credit risk.

We have all been told that Dodd-Frank ends too big to fail. This act did not end too big to fail. It glorified it into law and made middle-income paychecks almost $12,000 less compared to the average postwar economic recovery. Five years later, our economy continues to sputter at a 2 percent growth rate while Washington bureaucrats continue to burden American businesses, those small enterprises, with never-ending regulations.

Dodd-Frank is deterring the entrepreneurship that has made this country great. Dodd-Frank is too big, and it has failed the American people.

Mr. HENSARLING. I thank the gentleman from North Carolina for his comments tonight. I thank him for his leadership on our committee, not only on dealing with Dodd-Frank, but dealing with the very serious issue of terrorist financing, where he serves as the vice chair of our task force on that subject.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. EMMER), the newest member of the House Committee on Financial Services. Although he is new to the committee, it didn't take him too long to figure out, by speaking to his constituents and speaking to his credit unions and community banks, that Dodd-Frank is not working, that Dodd-Frank is helping make this economy less stable and making the American people less prosperous and less free.

Mr. EMMER of Minnesota. Mr. Speaker, 5 years ago the President signed the Dodd-Frank legislation into law. The American people were told that Dodd-Frank would end Washington bailouts, protect consumers, and in the event of another perilous economic situation, it would mitigate the impact and stabilize the financial industry and our economy.

As American families and businesses have now learned, Dodd-Frank does just the opposite. Dodd-Frank has actually codified the too big to fail mentality in Washington, harmed consumers, and will fail to sound the alarm before the next economic crisis.

I have talked with many people in the financial services industry about Dodd-Frank, and the theme I hear over and over again is that the regulatory burdens created by this law are harming their ability to offer affordable services to their clients, my constituents.

Since Dodd-Frank, approximately 1,500 community banks across the country have closed, and a recent study shows that Dodd-Frank has added 61 million hours of paperwork and more than $24 billion in final rule costs to the financial industry. These costs are not borne by Wall Street executives but, rather, by working mothers, small-business owners, and retirees.

This body is not powerless. In fact, I am here with many of my colleagues tonight standing up for working families impacted by this flawed law. We should subject this Consumer Financial Protection Bureau and Financial Stability Oversight Council to congressional appropriations. We should establish a bipartisan commission to lead the CFPB and reduce regulation that is crippling our community banks and credit unions. By enacting commonsense reforms, businesses can grow, jobs will be created, and American workers can better provide for their families.

I also want to thank the 146 banks, 8 credit unions, and nearly 60,000 constituents in my district who provide vital financial services to Minnesotans despite the ever-growing regulatory burden from Washington.

Mr. HENSARLING. The gentleman is obviously a quick study, but it doesn't take long when you speak to your constituents to realize, again, they are still hurting in this limping economy.

When one looks at the President's economic program, it is really based on a couple major pillars. It is based on his healthcare program, ObamaCare, but it is also based on Dodd-Frank; and in many ways Dodd-Frank is to household finances what ObamaCare is to household health care, and it is harming low-income and working American families. It is hurting their ability to achieve greater levels of economic opportunity, greater levels of financial independence.

Mr. Speaker, we have an economy that is limping along at about 2 percent economic growth, when historically we know it has been at 3½ percent. The economy is underperforming by 40 percent, and one of the reasons is because of Dodd-Frank. You can ask any person who is out there—an entrepreneur, small-business person who is

helping create jobs—and they will tell you about this drag that the sheer weight, volume, complexity, and uncertainty of this tsunami of regulation is causing.

I am very happy, Mr. Speaker, that someone that we have on our committee is a businessperson who has a history of creating jobs in my native State of Texas. I yield to the gentleman from Texas (Mr. WILLIAMS) to give us his thoughts on Dodd-Frank as well.

Mr. WILLIAMS. Mr. Chairman, I want to thank you for your leadership.

Before I begin, I would just like to say, I am a small-business owner. I have owned my own business for 44 years. I have been through a lot. I have been through dollar gasoline; I have been through 20 percent interest, where I borrowed money; I have been through the slowdown in 1988; I have been through 9/11; and I must tell you, the economy that we are in now, Main Street America is hurting like I have never seen it hurt before. That is why I am up here to talk about this situation that we seem to honor tonight, Dodd-Frank.

I join the chairman and my other colleagues here tonight to speak on what I believe is one of the most impulsive, deceiving, and un-American pieces of legislation that has ever been passed through this body. What I am talking about is a 2,300-page law that has unfairly blanketed our entire financial system with more than 400 costly rules and regulations. Just as we have found out that the Affordable Care Act is not affordable, we are learning that Dodd-Frank Wall Street Reform and Consumer Protection Act doesn't do what its name suggests. I believe we probably need a government protection act.

Now, Dodd-Frank is hammering small town America as we have talked about, and I mean like I have never seen before in 44 years. Small town America, Main Street America is hurting. They are hurting with unnecessary but very expensive compliance measures that are hard to meet.

As a small-business owner, as I have said, of over 40 years, I can say firsthand that Dodd-Frank is driving Main Street job creators and community banks and credit unions out of business. Yesterday in our op-ed, Congressman RANDY NEUGEBAUER and I wrote that the American people were fooled into believing Dodd-Frank was necessary to ensure financial stability and prevent future market meltdowns. But instead of responsibly studying the root causes of the financial crisis, Democrats in Washington rushed to regulate.

In my home State of Texas, one of the healthiest economies in the Nation, 115 banks have closed their doors. These banks are far from the major financial institutions in New York. They are small town community lenders that cannot pull together resources to comply with Dodd-Frank. They are community banks and credit unions that issue 51 percent of all business loans under $1 million.

The crippling effects of Dodd-Frank have trickled down from the President's pen to local job creators who had nothing to do with the financial crisis. The costs have been passed along to them. It isn't right, and it is not fair. Dodd-Frank is another example of how this administration discourages growth. Under President Obama and his administration, the risk of running a business is no longer worth the possible reward, and that is a big problem.

This is America. Bad policies like Dodd-Frank are the product of lawmakers who have little to no business experience. They haven't worked on payrolls; they haven't met a payroll; they haven't counted inventory; they haven't met with employees that need personal help; they haven't put people to work; but they have done something: issue 153 new regulations, 87 compliance changes, and 59 annual adjustments to thresholds.

At what price, we ask. The Congressional Budget Office and the Government Accountability Office have both estimated that Dodd-Frank costs $3 billion to implement and will result in nearly $27 billion in private sector fees, assessments, and premiums. We simply can't afford this.

For this reason, I have introduced legislation that will loosen Dodd-Frank's choke hold on small businesses and Main Street America. The Community Financial Institution Exemption Act will require the Consumer Financial Protection Bureau to explain to Main Street lenders why they are not exempted from certain CFPB rules and regulations, as permitted.

My bill has the support of the Independent Bankers Association of Texas, the Texas Credit Union Association, the National Association of Federal Credit Unions, and the Credit Union National Association.

I ask all my colleagues to support my efforts. It is time we stopped punishing those who put their livelihoods on the line to realize the American Dream and not the American scheme.

In God we trust.

Mr. HENSARLING. I thank my friend and my fellow Texan for his comments and the perspective that he brings as somebody who has actually successfully created jobs in the Lone Star State. He can look around at the customers of his business and to his employees and see how they have lost their prosperity.

Mr. Speaker, we were told that when Dodd-Frank was passed that it would lift the economy. They had a great celebration and signing ceremony at the White House. It would lift the economy.

Well, so what do we discover 5 years later? What we discover is an economy that is limping along at 2 percent. And that is not just some vague statistic. That translates into millions of Americans who remain underemployed and unemployed in America.

If you ask the people who create the jobs what is the great challenge, one of the great challenges is this regulatory burden. The question is not so much regulation or deregulation; the question is whether we are going to have smart regulation or dumb regulation. Dumb regulation hurts low- and moderate-income Americans who are just trying to climb the ladder of success, who are seeking economic opportunity.

Had we just had the average recovery—the average recovery, Mr. Speaker—we would have 12.1 million more jobs in America today. The average working family would have an extra $12,000 of income to take home in their pocket. That is just if we had the average recovery as opposed to this Obama recovery based upon Dodd-Frank as one of its pillars. We would have had 1.6 million more who could escape poverty. But, no, not the Obama economy. Dodd-Frank and the regulatory tsunami are keeping people down.

□ 2015

We all hear about this. Regrettably, every Member of Congress still gets these letters. I had a letter from one of my constituents that said:

> There are part-time jobs around my area, but always jobs with no benefits and less than 40 hours. My son is a disabled Iraqi Freedom combat veteran who has lost hope of a decent full-time job.

That is the kind of angst we hear, but House Republicans are committed to helping these people. One of the ways we have to do it is do something about Dodd-Frank.

I am very happy that I am joined by two other of my colleagues tonight, the gentleman from Michigan (Mr. HUIZENGA), who chairs our Monetary Policy and Trade Subcommittee, and the gentleman from Arizona (Mr. SCHWEIKERT), who has a lot of experience with municipal finance in Arizona.

I am happy first to yield to the gentleman from Michigan to get some of his perspectives on Dodd-Frank and how we are less stable, less prosperous, and less free.

Mr. HUIZENGA of Michigan. Mr. Chairman, I appreciate your leadership on this and so many other issues. I am going to have a couple of questions for you in a minute because I, like my colleague and friend from Arizona, wasn't here when Dodd-Frank was created. I like to say I wasn't here for the creation; I just have to live with the echo effects of it. I have to figure out what it means in this post Dodd-Frank world.

By the way, it has been mentioned tonight it was 2,300 pages. It sounds a little reminiscent to another bill that maybe they had to pass to find out what was in it. I think if it wasn't for ObamaCare—the Affordable Care Act—and that famous statement that was uttered about having to pass it to find out what is in it, this would be the poster child for that.

This would be the poster child for Federal Government overreach. It was

an agenda waiting for a crisis to come along.

Mr. HENSARLING. I was here 5 years ago, and it is funny and reminiscent that Senator Dodd, the coauthor of Dodd-Frank—the Dodd of Dodd-Frank—said at the time: ''No one will know until this is actually in place how it works.''

He said this in 2012. Here we are, 5 years later, and we know how it works. We know it is a drag on the economy. We know that free checking has been cut in half. We know that bank fees have gone up. We know that we are losing a community bank and a credit union a day, mostly because of Dodd-Frank.

Mr. HUIZENGA of Michigan. Mr. Chairman, I have to disagree a little bit with you. We know that there is a tremendous amount of Dodd-Frank that we have seen play out, but this is something I am not sure everybody understands. They are still writing the rules; 5 years into it, we are still writing the rules. I don't think that was your intent at the time this was passed.

Mr. HENSARLING. It was never my intent to support the law in the first place. Under then-Ranking Member Spencer Bachus of Alabama, my predecessor, Republicans had put forward a different law, and it was about bankruptcy, as opposed to of bailouts. Instead, what Dodd-Frank did was codify bailouts into law.

It codified this whole concept of too-big-to-fail institutions. I believe there is not one financial institution in America that is too big to fail. The American financial system is too big to fail, but not one particular financial institution.

We offered a different law in the first place, which was totally ignored by the Democrats. At the time, they enjoyed a super majority; so we were left with this particular monstrosity that, again, is making the American people less prosperous.

I thank the gentleman, and maybe we can get a comment from the gentleman from Arizona.

Mr. SCHWEIKERT. One of the most painful things, Mr. Chairman, when I first got elected, I was blessed to be on the Financial Services Committee, and I spent that summer trying to read every word of the Dodd-Frank legislation.

What you learn is, even reading the legislation, you don't understand all it is going to do because it refers to this agency will make this rule set, this regulator will create this rule set—you start to realize that 2,300 pages is taller than I am—and it is still coming.

Mr. Chairman, what percentage of the rule set is finished so far?

Mr. HENSARLING. A little over 60 percent, 5 years later; but in some respects, nothing is finalized because, when we think about being less free, in many respects, Dodd-Frank isn't even a law. Dodd-Frank is a license to unelected, unaccountable Federal bureaucrats to create discretionary results that they can change at their discretion.

Even the rules that are ''finalized,'' which is kind of a Washington term, you still don't have something that is predictable, that you can count on, and so it has led to all of these abuses.

When you think about the people who have run our VA, the people who did the rollout for ObamaCare—a healthcare system that people didn't want, they couldn't afford, and on a Web site that didn't work—all of a sudden, we are entrusting them to decide whether or not we can get a credit card, whether or not we can get a mortgage.

In that respect, no rule is particularly finalized.

Mr. SCHWEIKERT. I know Chairman HUIZENGA has actually taken a look at some of these things.

One of the other aspects that almost never gets discussed is that innovation is almost gone, the opportunity for what the next world is going to look like.

Think of this, when Apple Pay comes from a technology company and not one of our banking companies, you have got to understand what this law has done. It has basically stifled economic growth, but it has also stifled the very innovation that made our financial markets one of our engines of growth.

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. I want to relay a little experience I had just today. I was speaking in front of a group of European Parliament members, a few European business folks; and this question was brought up about trying to harmonize our financial services laws and trying to make sure that we are all kind of on the same page.

One of the members from a very liberal leftwing party was asking about Dodd-Frank and whether that is a path that they should pursue, and even she was dubious about that. Certainly, some of the other members from the European Parliament were seeing that this is a cautionary tale.

They know that they have been down a tough spot in Europe because they have seen such a lack of growth and innovation, and they are seeing that same thing happen here in the United States.

Mr. HENSARLING. I yield to the gentleman from Arizona.

Mr. SCHWEIKERT. Let's face it. There is a wonderful irony here. The system has great stress; horrible things happened. Let's turn to the very regulators who were in charge at that time and say: Let's double down with them.

Instead of taking a step backwards and understanding we live in the time of information and technology, where we could have used that sunshine to see into our markets, instead, we basically created a command and control regulatory system and handed it back to the same folks who screwed it up in the first place.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. Certainly, the gentleman from Arizona is not implying that they are not well intended.

Mr. HENSARLING. I yield to the gentleman from Arizona.

Mr. SCHWEIKERT. Well, think about this: How much reform has truly happened at Fannie and Freddie? Where are we at right now? I know the apologists on the left go out of their way to say don't blame the GSEs and their concentration risk and the cascade and the markets they built in subprime paper and don't blame the regulators who are supposed to be watching them.

Here we are, 5 years later, and in many ways, the folks who soaked themselves in gasoline are still there.

Mr. HUIZENGA of Michigan. It seems to me that part of our problem here is not intentions, but it is ability to execute. What we have done is we have replaced the private sector. We have replaced the innovators, the people that are getting stuff done in our economy.

We have replaced them with unelected bureaucrats who don't often know what the real world is like and how it operates. I think that has caused so many problems.

Mr. HENSARLING. It is a very important point because America has always been the land of the risk taker, the hard worker, the big dreamer, the entrepreneur. Now, what we are seeing in America today, because of Dodd-Frank and the Obama regulatory tsunami, is that we are having new business startups at their lowest level in over a generation. That means, increasingly, our garages are full of old cars, as opposed to new startups.

Economic growth is something that compounds. If you don't have economic growth and American families can't grow, again, they lose sleep at night worrying about how they are going to pay their bills, how they are going to cover their checks, what will their children's future be?

That is for those who still have checking accounts because another result of Dodd-Frank is that bank fees have gone up. As bank fees have gone up, the unbanked, lower- and moderate-income Americans, those ranks have grown. According to the FDIC, 9 million households don't have a checking or savings account; and that is because account fees are too high or unpredictable, most of this courtesy of Dodd-Frank.

Another way it hurts hard-working American families is this Orwellian-named Consumer Financial Protection Bureau, where there is now one national credit nanny, has come up with a rule called the qualified mortgage rule that the Federal Reserve says, once fully phased in, one-third of Black and Hispanic borrowers will find themselves disqualified for not meeting Washington's rigid one-size-fits-all debt-to-income requirements.

We are losing our entrepreneurs. We are losing our small businesses. Low- and moderate-income people are falling behind because Dodd-Frank didn't keep the promise of lifting the economy.

Mr. HUIZENGA of Michigan. If the chairman will yield, I have got a question for you—because I have had an experience in my time. This is my third term here in Congress, and I have had a little bit of an experience that was bothersome to me. I want to know if this matches your expectations as well.

You talked about this qualified mortgage. I have a piece of legislation called the Mortgage Choice Act, where rules that were written under the Dodd-Frank Act in an attempt to protect people from being gouged, I believe is actually doing the opposite.

In fact, it is not just me. It was a bipartisan group that got together and put this piece of legislation together that last Congress passed this House in this Chamber unanimously.

For the American people watching out there, yes, things actually pass unanimously here. You are not going to hear about that in the news a whole lot, but we actually can work together.

Now, there is one disturbing thing, though. It passed the House unanimously, went over to the Senate, and there was one particular Senator who put the brakes on it. Not to name any names, but she didn't want any changes to her baby, the Dodd-Frank Act.

We had to reintroduce the bill. As the chairman wells knows, we got it into committee again. Suddenly, it went from being unanimous to being a divisive issue. That was certainly not anything on our part because it was the exact same language, but people who had decided a year ago this was the exact way to go have decided, for political purposes, that it is now something that can't be touched, can't be altered, can't even be addressed, and I am sure the chairman has some thoughts as to whether that is working.

Mr. HENSARLING. I thank the gentleman for his, regrettably, accurate observation.

I try not to question the motives of my colleagues, but something is awry when something goes through the House unanimously, and then just in a matter of a weeks to a couple of months later, all of a sudden, it becomes a very divisive issue.

My fear is that the left hand doesn't always know what the far left hand is doing. The far left hand has decided that Dodd-Frank is sacred text, notwithstanding the fact that, 5 years later, we understand that free checking has been cut in half; 5 years later, we understand that bank fees are going up; 5 years later, we understand the ranks of the unbanked and the low- and moderate-income people who need to be able to have access to credit—when you need $500 to repair your car to get to work on Monday, you need $500 to repair your car to go to work on Monday.

Yet, for many, it is clear that Dodd-Frank has become a matter of brand protection, of ideology; and it really doesn't matter how many people suffer. That is so sad. I have strong thoughts on the matter, but I will sit down and reason in good faith and compromise policy in order to advance principles on behalf of the American people.

I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. Mr. Chairman, you just hit on the word ''compromise.'' I think there are many of us that are looking to compromise.

I was disturbed—and I am curious to hear the thoughts of my colleague from Arizona as well about this—when we were sitting in committee and had a witness in front of us who characterized the Dodd-Frank Act as a compromise bill, it struck me that I guess maybe he is right. It was a compromise between Senator Dodd and Congressman Frank at the time, both Democrats, who didn't bother to get any input from the Republicans.

As you pointed out, Mr. Chairman, you actually had a bill. A compromise would have been to take parts of your bill and parts of their bills and marry them together. This isn't what happened, though, is it?

□ 2030

Mr. HENSARLING. I thank the gentleman. Again, Republicans were frozen out. It was what Democrats wanted to do so they can own this particular bill that, again, is making America less stable. It makes it less stable because the big banks are bigger and the small banks are fewer.

Dodd-Frank has concentrated more financial assets in fewer institutions. It is a pillar of the President's economic program that is causing working families to have stagnant paychecks and lower bank accounts, that is, assuming they have a bank account, because the ranks of the unbanked has increased. It has made us less free.

We have one national consumer credit czar who decides now. It is Washington. Washington decides whether or not you can have a credit card. Washington decides whether or not you can have a mortgage. Washington now decides whether or not you can get a small business line of credit.

I haven't even talked about this thing called the Financial Stability Oversight Council that, for all intents and purposes, now has the ability to control huge swaths of our economy by defining vague terms and systemic risks.

Mr. SCHWEIKERT. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Arizona.

Mr. SCHWEIKERT. Thank you for the yield, Mr. Chairman.

You actually just hit on one of the wonderful ironies and one of the great difficulties we have in our discussions in our own committee.

First off, the regulation, the way Dodd-Frank is designed, it is designed for the last problem. It is not forward-looking of what the future looks like. And then there is always the arrogance here in Washington of thinking we know what the future looks like.

But there is also a number of professionals in the industry and academia who are now writing about what they call concentration risks. What happens when you tell every bank that they can only hold certain assets? You now have a concentration risk. If something goes wrong in that asset category, the cascade effect is universal. This is now happening up and down our financial system.

In many ways, I can make you a powerful argument that the post-Dodd-Frank world is creating a banking system that ultimately is more fragile because of a contagion concentration risk.

Mr. HENSARLING. It is, in some respects, deja vu all over again. It is dangerous for government to have one view of risk—one view of risk. The regulators told all the banks that there was virtually no risk in mortgage-backed securities, no risk in sovereign debt, so you don't have to reserve practically any capital against those.

Think Fannie, Freddie, and Greek bonds, and it almost brought down the entire national financial system, and we are obviously repeating the same mistake. So I appreciate the gentleman from Arizona for his observation.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. I know we have probably got about 3 or 4 minutes before a quick hour has gone by here, but I go back to my intention here and the question I have got for the chairman.

Obviously, a lot of well-intentioned things. Were there some issues and problems, abuses? Absolutely. I was in the real estate industry myself, still am in construction. But the goal of having Dodd-Frank lift our economy, promote financial stability, end too big to fail, it certainly doesn't seem like that from the perspective that I am. And I think all the evidence is overwhelmingly that the answer is a resounding ''no'' on all counts.

I would love to hear the chairman's thoughts on that evidence.

Mr. HENSARLING. Well, before I do, Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore (Mr. BOST). The gentleman has 3 minutes remaining.

Mr. HENSARLING. Again, in many respects, I do believe the economy is more fragile. The good news is that more of our financial institutions are holding more capital. They are more liquid.

But what is ironic is the regulators, prior to Dodd-Frank, had all the regulatory authority they needed to have made these balance sheets even safer; yet there has been no effort on the part

of the administration, notwithstanding the good work of our committee, to do anything about Fannie and Freddie that were at the epicenter of the crisis.

Again, this whole government idea of putting people into homes that ultimately they cannot afford to keep, it is terrible for them. It is bad for the taxpayer. It is bad for the economy. We have to move to a sustainable housing system: sustainable for homeowners, sustainable for the economy, and certainly sustainable for taxpayers.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. I used to be a licensed Realtor, and I will never forget that time in the late nineties when I went to my first closing, where they slid a check, the closing agent slid a check across to the seller, as is expected. They are selling their home. Then they slid a check across to the buyer, and there was kind of a nervous laugh and a joke. ''Well, we know you are probably going need to buy some furniture.'' That was the first time I personally witnessed someone borrowing more than what the house was actually worth. It is those kinds of decisions and that lack of risk, that lack of accountability, I think, that brought us to some of the areas.

I just wanted to relay that story of something that was just seared into my mind, and one I hope we never, ever repeat.

Mr. HENSARLING. I fear that, in many respects, the Obama administration is making the same mistakes, and that is why, again, we need the sustainable housing financial system.

But ultimately, what we are working for, as House Republicans, is to make sure that all Americans have greater economic opportunity, and that means competitive, innovative, and transparent financial markets. That means an economy that is fair and works for everyone. It means getting out of the bailout business once and for all. There ought to be bankruptcy for these financial institutions, not taxpayer bailouts.

We need all Americans to be able to climb the ladder of success, and that means they need access to bank accounts. They need to go back and have access to the free checking which they have lost under Dodd-Frank. We need community banks to prosper for our rural areas, for our inner cities.

All of that can happen yet again, but it all starts—it all starts—with having to replace Dodd-Frank, which is a clearly failed law 5 years later. It didn't meet its promises. We are less stable, we are less prosperous, and we are less free.

House Republicans are putting forth a different plan today, just as we did 5 years ago. The evidence is stark. The evidence is stark that the big banks are bigger, the small banks are fewer, and hard-working Americans are worse off.

I appreciate the time we have had with our colleagues. It is time to replace Dodd-Frank.

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

CONGRESSIONAL ETHIOPIAN AMERICAN CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from California (Mr. HONDA) for 30 minutes.

GENERAL LEAVE

Mr. HONDA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. HONDA. Mr. Speaker, I come to the floor today as the founder and co-chair of the Congressional Ethiopian American Caucus. This caucus was established to give a legislative voice to the specific concerns of the Ethiopian American community.

Founded in 2001, the caucus is comprised of Members who appreciate the critical relationship between Ethiopia and the U.S. and value the contributions of Ethiopian Americans to our Nation. Congressman JOHN GARAMENDI and I co-chair this caucus of nearly 20 Members of Congress.

President Obama's upcoming visit to Ethiopia on July 27, which is next Monday, will be the very first visit to this nation of 97 million people by a sitting American President.

Ethiopia has Africa's second largest population and is a nation with a rich, independent cultural history. And, by the way, Ethiopia is the only African country in that continent that has not ever been colonized.

It is a country of growing economic, humanitarian, and strategic importance to the United States. Accompanying these opportunities are many challenges that face Ethiopia today.

Situated at the center of the Horn of Africa, Ethiopia is located in an unstable region, making it a key ally of the United States in combating radical extremists in the region.

Ethiopia has a checkered humanitarian record, and the government must learn to embrace the voices of political dissent and promote basic human and civil rights.

I believe that President Obama's upcoming trip to Ethiopia provides a unique opportunity to promote respect for freedom of speech and press, in addition to supporting economic health, food security, and humanitarian development in Ethiopia.

The United States must aggressively support and encourage Ethiopia to embrace democracy and its hallmarks: free speech and a free and independent media.

With a base of young entrepreneurs, a large labor force, and a wealth of natural resources, Ethiopia has quickly become an important center of industry, agriculture, and technology. We must explore avenues for U.S. investment and partnerships with Ethiopia to further this growing economic partnership.

Here at home, Ethiopians in the U.S. provide us with a large pool of talent, education, and experience. If we are to draw lessons from U.S. relations with China, Vietnam, and India, we can see that engagement is an important tool in bringing about sustainable change.

The U.S. and Ethiopian Governments must work closely to engage private business and Ethiopians in the diaspora. If we have learned anything about Ethiopia and Ethiopians, it is to never discount the capacity for genius and resolve in the interest of their country and fellow countrymen.

I visited Ethiopia in 2005, and I left the country a changed man. The Ethiopian diaspora's generosity and forward vision continue to inspire me as a person and as a policymaker.

Numbering over a quarter of a million people across this country, the vibrant and fast-growing Ethiopian American community greatly contributes to the richness of American culture and strengthens our economy to help make our Nation competitive in the 21st century.

As I traveled around Ethiopia and met people from all walks of life who are bound by one truth, to control their own destiny, I was inspired more than ever to strengthening a long-established relationship between Ethiopia and the U.S. and become an effective voice to encourage lasting democratic, humanitarian, and security improvements and partnerships with our friend in the Horn of Africa.

As President Obama prepares for his upcoming trip to Africa in the coming days, many human rights groups are criticizing his visit to Ethiopia as one that props up and supports a repressive regime; a government that has been censoring and intimidating the media, and even imprisoning journalists who spoke out against the ruling Ethiopian party.

Since 2014, six privately owned media outlets have shut down due to government harassment of over two dozen journalists and bloggers who have faced criminal charges, and at least 30 others have fled the country to avoid arrest. More journalists are in jail in Ethiopia than anywhere else in Africa.

This crackdown and use of antiterrorism legislation to stifle political dissent in Ethiopia is absolutely unacceptable. The State Department has publicly and privately expressed concerns about Ethiopian restrictions on political and human rights. These issues present complicated diplomatic engagement and security cooperation scenarios.

Stability, security, and economic development are sustainable only with

the development of democratic values, and Ethiopia has a long road ahead to fully achieve these goals. But with our support and the support of the Ethiopian Caucus, we can help them move closer to those ideals.

Over the past month, in the run-up to President Obama's visit, the Ethiopian Government has released half a dozen journalists and bloggers who were being held on dubious charges. While this is a positive step, this does not forgive or cause us to overlook the restrictive and undemocratic pressures on the media in Ethiopia. The government's recent actions of good faith are not an achievement but, rather, they represent the first step in a long road towards the government demonstrating it can embrace a free and open democracy with a vibrant and free press.

I believe the U.S. can be most effective at championing human rights and democratic institutions in Ethiopia through engagement. The U.S. must build on Obama's historic visit and work harder to encourage positive change. As a partner, we can have frank conversations with the government and champion human rights and democratic principles.

Ethiopia is a young country in terms of democracy and, over time, we can help shape their maturing political system in a way that provides real choices for the people.

The Ethiopian Government needs to continue to uphold democratic principles and engagement while, at the same time, reconciling the need for security with the increasing opportunities to engage talented Ethiopians.

□ 2045

I stand with Amnesty International and call for the immediate and unconditional release of any and all remaining journalists and bloggers who remain in prison based on politically motivated convictions on terrorism charges.

As a friend to the people of Ethiopia, it is our responsibility to encourage President Desalegn's government to stick to this reform.

As the U.S. pursues closer economic and strategic relationships with Ethiopia, we must remain adamant that improvements to human rights and democratic institutions are a requirement to a successful partnership.

Ethiopia is a valuable partner in a critical region, from peacekeeping, to fighting al-Shabaab, to pursuing peace in South Sudan.

In recent years, the number of attacks performed by extremists across the Horn of Africa has been increasing. Ethiopia has been a vital partner and ally to confront extremism in the region.

U.S. national security is intertwined with countries like Ethiopia that are on the frontline of fighting terrorism. The threat posed to African countries posed by terrorism requires the support of the United States Government in helping build stability that will allow democratic institutions to grow and flourish.

Ethiopia has historically been a key contributor to United Nations and African Union peacekeeping missions and, as the seat of the African Union, has taken an active role in trying to bring peace to the region and the continent.

To this end, Ethiopia gets nearly $800 million a year in U.S. military assistance to fight the Somali Islamic group al-Shabaab, a group that is responsible for numerous attacks across the region.

As we invest hundreds of millions to combat this brutal extremist group, we must remember that military strength alone will not defeat extremism.

The only lasting solution is a comprehensive one that addresses the political and economic concerns of the region, one in which the rights of all religious and cultural groups are respected.

I encourage President Obama to work with the Ethiopian, Kenyan, and Somali Governments to find ways to address the underlying social and economic issues that are resulting in fertile grounds for extremist movements like al-Shabaab.

Ethiopia has undergone amazingly rapid economic growth in recent years and has made significant progress toward its Millennium Development Goals. The U.S. must continue to support Ethiopia's development goals and increase opportunities for U.S. businesses in the region.

Ethiopia has the fifth fastest growing economy of the 188 International Monetary Fund member countries. The Ethiopian economy has enjoyed strong economic growth, with average GDP growth over 10 percent in the past decade, double the average for sub-Saharan Africa.

This growth has largely been a result of government-led development policies with an emphasis on public investment, commercialization of agriculture, and nonfarm, private sector development.

As part of this growth, Ethiopia has prioritized infrastructure development. Ethiopia is investing heavily in physical infrastructure as part of its development strategy.

This includes the development and upgrading of the country's power, transport, and telecommunications facilities, with a brand-new railway network and the construction of a number of hydroelectric power stations. These investments will allow the country to continue to export power to neighboring countries.

Ethiopia has also proven to be a partner in renewable energy development. Their hydro programs are helping move Ethiopia to become a climate-resilient economy by 2025.

Ethiopia has the second highest hydropower-generating capacity in Africa and the continent's biggest wind farm.

These renewable resources have enabled Ethiopia to export electricity to Kenya, Djibouti, and Sudan despite having limited hydrocarbon resources.

This incredible growth has not gone unnoticed by the rest of the world, and numerous developed nations, including China and India, are investing heavily in Ethiopia.

India is the biggest investor in land in Ethiopia, with Indian companies accounting for almost 70 percent of the land acquired by foreigners. The U.S. Government needs to do more to encourage American companies to invest in Ethiopia.

With the continent's second largest population, Ethiopia is a huge market for American companies and products.

Self-imposed congressional limitations on programs like OPIC, the Overseas Private Investment Corporations, are severely hindering U.S. investment into this economy. Self-imposed congressional limitations are severely hindering U.S. investment in this economy. We have to remember that.

According to figures from the World Bank and Ernst & Young, foreign direct investment into Ethiopia has risen more than tenfold in 7 years, from $108 million in 2008 to $1.2 billion in 2014, with $1.5 billion projected for 2015.

A significant portion of this investment growth is represented by Chinese investment in Ethiopia ramping up. This includes a new $200 million African Union headquarters financed by China, a $300 million contract to expand the Addis Ababa airport, and construction of a reported $2 billion factory for China's Huajian Corporation, which will employ 30,000 Ethiopians.

It is critical that the U.S. Government mobilizes private sector capital to address these development challenges or other countries will.

Despite all this economic growth, Ethiopia has significant challenges. Ethiopia's per capita GDP of $505 is one of the world's lowest.

Though per capita GDP is on the rise—7.2 percent in 2014—it is still one of the poorest countries in the world, ranking 173 out of 187 countries on the Human Development Index.

Although Ethiopia is outperforming many sub-Saharan countries in poverty reduction, widespread malnutrition continues to haunt the nation.

Estimates suggest that the country loses around 16.5 percent of its GDP each year to the long-term effects of child malnutrition.

Dependency on agriculture—coffee, in particular—leaves the large rural population vulnerable to droughts, natural disasters, and other economic shocks.

Recent periods of rapid inflationary pressures and large refugee inflows from Eritrea and South Sudan further aggravate these trends. This has led to food prices rising 100 percent in 2011.

Ethiopia still relies heavily on aid to achieve its development goals. Ethiopia receives the most USAID assistance of any sub-Saharan African country, ranked seventh worldwide.

Even among other donors, Ethiopia remains the single largest recipient of

official development assistance in sub-Saharan Africa.

So Ethiopia has made progress towards reaching most of the Millennium Development Goals.

Together with government action and the largest social protection scheme in the region, Ethiopia has seen remarkable progress towards its development targets. Apart from the overall decline in poverty—reduced by 33 percent since 2000—positive gains have been made in terms of education, health, and reducing the prevalence of HIV/AIDS and fistula.

USAID development funds and programs are having a massive impact in Ethiopia in everything from nutrition, sustainability, food stability, health, and education. U.S. businesses and entrepreneurs also have a strong role to play in Ethiopia.

Organizations like the U.S.-Africa Diaspora Business Council focus on tapping into the large entrepreneurial Ethiopian and African diaspora populations in the U.S.

They help provide information, build capacity, and developmental infrastructure to assist American companies to build business footprints in Ethiopia and develop trade between the U.S. and Africa.

I would like to particularly highlight the budding benefit corporations that are producing a positive impact on society and the environment as well as making a profit.

Ethiopian diaspora-owned company Blessed Coffee, the nation's second benefit corporation, is established as a socially responsible business, focusing on trade in coffee growing regions as well as in communities in the U.S. where coffee is sold.

A symbiotic relationship will be one that not only benefits the American consumer but, also, the farmers in Ethiopia and the development of the region.

On a side note, I am not sure that it is well known, but according to DNA analysis, all coffee came from Ethiopia. So we can thank them for that.

I was proud to help reauthorize the African Growth and Opportunity Act last month, which paves the way for continued investment in Ethiopia and Africa through preferential duty-free treatment to U.S. imports of certain products.

This important bill incentivizes American companies to invest in industry and development programs in Africa and Ethiopia that provide products to the United States and jobs to the region.

As the Representative from Silicon Valley, I take special note of the large opportunities in high technology and Internet fields.

With just over 2 percent Internet penetration and 27 percent cellular phone subscriptions, Ethiopia has one of the lowest rates of Internet and mobile phone penetration in the world.

Persistent State interventions, including nationwide Internet filtering, public sector monopoly over the telecom sector, and a relatively closed economy, have suppressed the growth of economic freedom over the past 5 years.

All of this points to an opportunity for the U.S. Government and companies to help Ethiopia modernize and open its markets to American tech companies.

In closing, let me just say that Ethiopia is a nation of growing importance and opportunity for the United States, a reality that is highlighted by President Obama's visit next week.

As one of the poorest countries, yet with one of the fastest growing economies and largest population in Africa, Ethiopia still represents enormous untapped potential for economic growth.

Ethiopia is a country where American companies can invest and bring jobs and development. It is critical that the U.S. Government seizes this opportunity for investment and mobilizes private sector capital to address the development challenges Ethiopia faces.

Additionally, the U.S. has an opportunity to help Ethiopia address the numerous humanitarian challenges it faces. The administration's Feed the Future initiative supports Ethiopia's food security strategy to reduce hunger, improve nutrition, and promote broad-based economic growth.

Ethiopia still has many serious unmet development needs in sectors like small-business lending, private education, health care, and access to electricity.

Healthy bilateral aid programs through USAID and development programs like Power Africa can help make significant improvements into the health and food security of millions of people in Ethiopia.

Notwithstanding Ethiopia's enormous development needs, we must secure ties within the country to reinforce its constructive collaboration with the U.S. on regional security issues in the Horn of Africa.

Ethiopia's ongoing strategic partnership with the United States in combating al-Shabaab and defeating extremism in the Horn of Africa is an opportunity for the United States to change the narrative in the region away from focusing solely on military solutions and, instead, focusing on a comprehensive approach that addresses the underlying social, economic, and political causes that fuel extremist groups.

Stability, security, and economic development are sustainable only with the development of democratic values.

Ethiopia is a young democracy where human rights and freedom of speech are not respected by the ruling government. The United States must take a strong position of standing with democratic institutions, such as free speech and open, fair, transparent elections.

The U.S. must build on Obama's historic visit and work harder to encourage positive change. As a partner, we can have frank conversations with their government and champion human rights and democratic principles.

Ethiopia is a young country in terms of democracy, and over time we can help shape their maturing political system in a way that provides real choices for the people.

The Ethiopian diaspora here in the United States are the natural bridges and ambassadors and human resources to build and strengthen the economic, strategic, and humanitarian connections between our nations.

The future looks extremely bright for Ethiopia, and the United States has an opportunity to be a strong partner as it moves towards a wealthier, more secure, and more democratic future.

I am proud to be the co-chair of the Ethiopian American Caucus, where I can help give a legislative voice to the specific concerns of the Ethiopian American community and help the U.S. Government and diaspora build these important, necessary bridges to a brighter future.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of the strong relationship between the United States and Ethiopia. As a member of the Ethiopian American Caucus, I am proud to see our bilateral relationship grow.

As the United States continues to provide economic, humanitarian, and developmental assistance, Ethiopia continues to struggle with human rights issues and food insecurity. Next week, I will visit Ethiopia with President Barack Obama to highlight America's commitment to investing in Africa. I hope that with this visit, we can reinforce our commitment to improving public health, food security, and human rights in Ethiopia.

It is my hope that in Congress, we can follow the lead of the late former Congressman Mickey Leland, whose work to end hunger and poverty was world-changing. Congressman Leland helped to form the House Select Committee on World Hunger in 1984 which generated awareness within Congress regarding national and international hunger and prompted a bipartisan effort to find solutions to end hunger in the U.S. and around the world, particularly in Ethiopia and Sudan. Congressman Leland wag killed in a plane crash in Ethiopia during a mission.

Since the African Growth and Opportunities Act was reauthorized earlier this summer, Ethiopia is eligible for preferential trade benefits. I hope to see our trade relationship grow as we work with Ethiopia to improve humanitarian conditions. I am proud to be a member of the Ethiopian American Caucus and I ask my colleagues to support the relationship between the U.S. and Ethiopia.

□ 2100

THE IRANIAN NUCLEAR AGREEMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 30 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, just a few days ago, the White House

formally transmitted to Congress the Iranian nuclear agreement. I am holding it here in my hand. And now there will be much discussion in Congress over the role of this legislative body regarding nuclear agreements, but I would like to remind my colleagues that a process is already in place for civil nuclear agreements. This Iran deal that we have in front of us includes sections about a civil nuclear cooperation with Iran.

Under current law, section 123 of the Atomic Energy Act specifies the conditions by which the United States should enter into a civil nuclear cooperation agreement with other countries. Parts of the terms determined by the 123 agreement is the cessation from enrichment or reprocessing, a term that is coined, Mr. Speaker, as the gold standard. But the Obama administration has taken the liberty to enter into 123 agreements without abiding by the gold standard.

Why should we hold different countries accountable for different terms when it comes to proliferation? We should be holding each country to the very strictest of standards to ensure maximum safeguards are in place.

This is why, Mr. Speaker, in the last Congress I reintroduced, alongside with my congressional colleague BRAD SHERMAN, a bill which reforms the Atomic Energy Act of 1954 to provide greater congressional oversight of nuclear agreements with foreign countries and to protect against the threat of nuclear proliferation. So when the President says that it is either this deal or we go to war, there is actually another option.

Let's not forget about the U.S.-Russia nuclear cooperation agreement, which was previously withdrawn by the Bush administration in 2008 because the President could not certify under the Iran, North Korea, Syria Nonproliferation Act that Russia was not providing nuclear, missile, and advanced conventional weapons to Iran. Yet, through this new deal with Iran, Iran can buy nuclear, missile, and advanced conventional weapons from the Russians.

Next on the list was the 123 agreement with Vietnam. I strongly opposed this agreement because it allowed Vietnam to enrich.

Next up, the pending U.S.-China nuclear cooperation agreement. Again, I opposed that agreement because it allows China to enrich.

So what kind of message are we sending to our allies, Mr. Speaker? Jordan and the UAE, some of our closest partners in the region, are not allowed to enrich based on their commitments to our 123 agreement, but bad actors such as Russia, China, and Vietnam, oh, they can enrich. It does not make much sense, Mr. Speaker.

Page 5, section 13—and I hope that our constituents read it—of the general provisions of the Iran nuclear agreement states that the P5+1 nations will ''cooperate, as appropriate, in the field of peaceful uses of nuclear energy and engage in mutually determined civil nuclear cooperation projects as detailed in Annex 3.''

So when we go to Annex 3, the situation becomes really scary. According to Annex 3, the P5+1 nations and Iran can cooperate on civil nuclear and scientific projects.

What does that mean? Oh, it spells it out, and it includes—listen to this—facilitation of Iran's acquisition of light water research and power reactors, for research, development, and testing; construction of new light water power reactors, including small- and medium-sized nuclear reactors; construction of state-of-the-art light water moderated multipurpose research reactors; supply of state-of-the-art instrumentation and control systems for the research and power reactors.

Oh, but the list keeps going.

Supply of nuclear simulation and software solutions with regard to these research and power reactors; on-the-job training on fuel management scenarios for these research and power nuclear reactors; and, last but not least, joint technical review of Iran's current nuclear reactors, upon the request by Iran, in order to upgrade current equipment and systems.

So, essentially, we will be helping Iran to modernize and upgrade their reactors. This is absolutely absurd—and dangerously absurd, Mr. Speaker. How could we ever expect any country to agree to the gold standard when they can point to the JCPOA and say they want the Iran standard? They don't want the gold standard. We want the Iran standard because that is what is going to be one of the lasting legacies of this weak and dangerous deal: we have obliterated any of our moral or legal standing to insist that other countries forgo their own enrichment programs.

No country's leaders in their right minds would ever agree to anything less than what we have allowed Iran to do; and now if we don't block this deal's implementation, Mr. Speaker, we are putting into motion a nuclear arms race that we will not be able to stop.

Mr. Speaker, one of the most egregious mistakes of this nuclear deal—which is saying something. It is a long list of bad things. This deal is chockfull egregious mistakes, but one of the worst is the lifting of U.S. sanctions on conventional weapons and ballistic missiles as well as the lifting of sanctions on Iran's central figures of its nuclear weapons program by the E.U. and the U.N.

Just last night, Mr. Speaker, The Wall Street Journal reported on the sanctions that are to be lifted on the Iranians and the institutions behind Iran's decades-long, covert, and illegal nuclear program. This doesn't even begin to touch on the issues of sanctions being lifted against Iran's Quds Force leaders and the IRGC, the very same people who are responsible for carrying out and planning Iran's most deadly attacks and for supporting terror attacks across the world, the very same individuals, Mr. Speaker, who have American servicemembers' blood on their hands.

That is right. The administration and the P5+1 have agreed right there in Annex 1 and Annex 2 to remove these individuals and these entities from the U.N. and European sanctions list. How the administration can even begin to try to justify removing these people from these sanctions lists and these designations is beyond comprehension. In fact, it is a direct affront to every man or woman who has served in the U.S. Armed Forces and their friends, families, and loved ones.

The administration needs to explain—and I would like viewers to look at this poster—how Soleimani, the gentleman here in the middle, the head of Iran's Revolutionary Guard, the commander of the Quds Force, not only gets to get rid of these sanctions, but soon will get a boon to his coffers to increase his attacks against the U.S. and our interests.

But look at this rogues gallery. We are not done yet. How about General Vahidi? General Vahidi, this fine gentleman here, former Quds Force commander, Iranian defense minister, has been wanted by Interpol since 2007 for his role in the 1994 AMIA Jewish center bombing in Buenos Aires, Argentina. He will come off some of these sanctions lists, this gentleman responsible for the murder of innocent men, women, and children.

But as The Wall Street Journal article notes, we are actually going to be lifting the sanctions on the scientists and the individuals responsible for developing Iran's covert nuclear weapons program. Mr. Speaker, this will leave these individuals free to continue to work on the regime's nuclear program. But not only that, it will leave them free to proliferate their expertise and knowledge.

What we have here, Mr. Speaker, is that we essentially have agreed to lift the sanctions and designations on most of the key individuals on Iran's covert nuclear weapons program while, at the same time, allowing all of Iran's key components of its nuclear program to remain intact. How does that benefit our national security?

We have agreed to lift sanctions on the Iranian equivalent of A.Q. Khan, this gentleman here, the head of Iran's WMD program. A.Q. Khan, if you remember, Mr. Speaker, is the Pakistani nuclear physicist responsible for the proliferation network that helped Libya, North Korea, Iran, and China develop their nuclear programs. He is the equivalent of A.Q. Khan. The Iranian A.Q. Khan helped the regime in its attempt to develop a nuclear explosive device which the regime still refuses to come clean about to the International Atomic Energy Agency.

So look at this rogues gallery. We are not done.

Now the Iranian equivalent of A.Q. Khan will be likely taken off the designation list before the terms of this agreement is up, meaning that, by the time this deal expires, this Iranian, A.Q. Khan, will have had years to perfect his explosive device without repercussions.

This deal will also lift sanctions on the nuclear scientist named Abbasi-Davani. This fine gentleman here was the head of Iran's Atomic Energy Agency. Not only was this man once the head of the Atomic Energy Organization of Iran, but he was sanctioned by the U.N. Security Council, sanctioned by the U.N. for his work on both Iran's nuclear and ballistic missile program, which, by the way, just underscores the absurdity of the notion that Iran's nuclear program is for peaceful purposes. Only nations that intend on having a nuclear payload develop ballistic missiles, and this man was involved in both. Yet he too will be removed from U.N. sanctions before this agreement expires, leaving him several years to continue his work without any international scrutiny.

But we have one more fine gentleman to point out, Mr. Speaker, as if that weren't enough. German engineer Gerhard Wisser, right over here, is a collaborating German scientist. He was an individual who was convicted and imprisoned in South Africa for his involvement in the A.Q. Khan network and who has facilitated the sale of nuclear equipment to North Korea, to Iran, and to Libya. He will be delisted, as well.

On top of all of this, Iran's organization involved in spearheading its nuclear weapons research will be removed from the U.S. sanctions list, despite its long record of noncompliance with the International Atomic Energy Agency.

All I see in this agreement, Mr. Speaker, is a path to the Iranian bomb and not the prevention of one, as the administration claimed was the objective. Any way you slice it, Mr. Speaker, Iran will be a nuclear weapons state within a decade or so, and these individuals will be free to harm our international interests.

Even if the U.N. Security Council opts to reimpose sanctions on the regime, Iran has built into the agreement that this would be a violation of the agreement. Listen to that, Mr. Speaker. If the U.N. Security Council opts to reimpose sanctions, Iran has in this deal a stipulation that this would be a violation of the agreement, and then it can simply snap back its own nuclear program. That is the only snapback that is involved, Iran snapping back its own nuclear program. And now it will be free of all the burdens of sanctions. It will have its entire infrastructure—complete with the added benefit of U.S. assistance in modernizing its equipment, in advancing certain aspects of it—as well as the key individuals involved and responsible for advancing the program ready and able to produce a nuclear weapon without any problems whatsoever.

Mr. Speaker, if Congress approves this deal, we are guaranteeing that Iran becomes a nuclear weapons state, and we are giving away every bit of leverage that we have against this rogue regime. This deal isn't going to avert a war. It might very well precipitate one. Our only real option for peace and a nuclear-free Middle East is to insist on a better deal.

Mr. Speaker, we must back that up with tougher sanctions, not a promise to lift sanctions on some of the world's most dangerous individuals. How can we say, Mr. Speaker, that this nuclear deal is anything but a bad deal when it doesn't meet the benchmarks of the U.N. Security Council Resolutions or even the President's own benchmarks from 2013?

□ 2115

Iran was in violation of every one of those resolutions; yet, just 2 days ago, the administration and the rest of the P5+1 went to the U.N. Security Council to bind ourselves to lifting the resolutions, even though the Iranian regime never complied with a single one—six resolutions violated.

Each of those resolutions confirmed that Iran was not in compliance with the International Atomic Energy Agency, had not halted enrichment, had not stopped reprocessing, had not halted developing nuclear technology, and had not stopped its ballistic missile program.

Iran has never met a U.N. Security Council resolution that it didn't violate; yet here we are, pretending that Iran has somehow complied with the international community and can be trusted this time to live up to its obligation under international law.

Let's just take a look at what each of those resolutions required from Iran and what we are no longer requiring Iran to do as a result of this disastrous deal.

Mr. Speaker, I will start with U.N. Security Council Resolution 1696, implemented on July 13, 2006. It demands that Iran suspend all enrichment related and reprocessing activities, which would be verified by the International Atomic Energy Agency after Iran's noncompliance with the IAEA for over 3 years.

It gave Iran 1 month to comply with the IAEA or face the possibility of economic and diplomatic sanctions. It endorsed the diplomatic solution, specifically a P5+1 proposal from 2006 for a long-term, comprehensive agreement to determine the exclusively peaceful nature of Iran's nuclear program.

It called upon states to exercise vigilance to prevent the transfer of any item, materials, goods, and technology that could contribute to Iran's enrichment and reprocessing activities and ballistic missile program. Iran did not comply.

U.N. Security Council Resolution 1737 passed on December 23rd, 2006, it imposed sanctions on Iran for failing to halt uranium enrichment as stipulated in United Nations Security Council Resolution 1696 that I just spoke about.

It reaffirms that Iran shall, without further delay, suspend all enrichment related and reprocessing activities, including research and development to be verified by the IAEA and work on all heavy water-related projects, including the construction of a research reactor, moderated by heavy water.

The resolution further imposed sanctions on that country, blocking the import or export of sensitive nuclear material and equipment and freezing the financial assets of persons and entities supporting its proliferation-sensitive nuclear activities or the development of nuclear weapons delivery systems.

Also, this resolution established a new committee comprised of all council members to monitor the implementation of the present text and designate further individuals or entities to which the sanctions should apply. I bet Iran was really worried about that new committee.

How about this resolution, U.N. Security Council Resolution 1747, adopted on March 24, 2007? It widened the scope of the previous resolution by banning Iran's arms exports, arms embargo, prohibits transfers to Iran of nuclear, missile, and dual-use items, exports from Iran of arms or WMD useful technology.

It reaffirmed previous positions on Iran's nuclear program, including the suspension of all enrichment activity. It sanctioned additional individual and entities. How many more people could we put on that list?

How about another resolution? U.N. Security Council Resolution 1803, adopted on March 3, 2008, it approved a new round of sanctions against Iran for refusing to suspend nuclear projects and activities.

It reaffirmed all previous resolutions and demanded that Iran cease all enrichment and reprocessing and ballistic missile related activity. It required countries to inspect suspected cargo to and from Iran, extended the freezing of financial assets to persons or entities supporting Iran's nuclear-related programs or activities. It called upon countries to monitor activities of Iranian banks. It imposed travel restrictions on sanctioned individuals

How about U.N. Security Council Resolution 1835, adopted on September 27, 2008? It reaffirmed all previous resolutions. It reports that it found conclusively that Iran is continuing to develop its nuclear program.

I bet that was a surprise. It found that Iran was making progress on developing and operating its centrifuges and continued to deliberately block and stonewall. It called on Iran to comply with obligations fully and without delay.

Remember, these resolutions are gone now, Mr. Speaker.

U.N. Security Council Resolution 1929 adopted on June 9, 2010, it reaffirmed all previous resolutions. It prohibited Iran from investing abroad

in uranium mining, related nuclear technologies, or nuclear capable ballistic missile technology.

It prohibited Iran from launching ballistic missiles, including on its own territory. It required Iran to refrain from any development of ballistic missiles that are nuclear capable.

It mandated that countries not export major combat systems to Iran, but does not bar sales of missiles that are not on the U.N. Register of Conventional Arms. It called on the vigilance of international lending to Iran, providing trade credits and other financing.

It called on countries to inspect cargoes carried by Iran air cargo and Islamic Republic of Iran shipping lines or by any ship in national or international waters, if there are indications that they are carrying cargo banned for carriage to Iran.

Searches in international waters would require concurrence of the country where the ship is registered, but it could happen. It froze the assets of Iranian persons and entities named in annexes to the resolutions and required that countries ban the travel of named Iranians.

That was back in the day, Mr. Speaker; yet here we are today, 2 days after the administration went around Congress to bind the United States to a U.N. Security Council resolution that will lift all of those resolutions. You see all of those resolutions; we just ripped them up, no longer needed. We did not achieve a single thing that those previous six resolutions called for.

Now, to make matters worse, Mr. Speaker, the P5+1 countries will honor their obligations on this new U.N. Security Council resolution, while the Iranian regime laughs at us all the way to the bomb.

Iran has never felt compelled to honor its international obligations; and now, we are just supposed to expect it to fully comply with this? A zebra can't change its stripes, and this Iranian regime will never feel obligated to abide by this new international agreement.

Why tie our hands like this, Mr. Speaker? This is a bad and dangerous nuclear deal. I would urge my colleagues to reject it.

There has been a lot of talk, Mr. Speaker, about these anytime, anywhere inspections. I think it is important for us to examine what this agreement actually says about anytime, anywhere.

If the IAEA has concerns regarding undeclared nuclear materials or activities, they can request clarification from Iran. They request clarification from Iran, Oh, please explain to us. If Iran's clarification does not satisfy the IAEA, then the IAEA can request access to such locations—request.

If the two sides are unable to reach satisfactory arrangements within 14 days of the IAEA's original request—look at the timeline, Mr. Speaker—then the joint commission would advise on how to resolve that issue within an additional 7 days; then Iran will have another 3 days to implement such a decision.

Can you keep up with me, ladies and gentlemen? Do the math. Iran actually has 24 days to stall or hide any undeclared nuclear material.

Is that the definition now of anytime, anywhere inspections, Mr. Speaker? I don't think so, and Iran's Defense Minister doesn't think so either. Why do I say that? Just 2 days ago, he said that the IAEA would not be allowed to inspect any of Iran's military sites.

They have been saying over and over again—the Supreme Leader has said the same thing multiple times—Iran will not let foreigners inspect any military center or interview its nuclear scientists.

On top of that, Iran's Foreign Minister and chief negotiator said, just yesterday, that Iran has secured the so-called right to deny the IAEA access to its nuclear sites for inspections.

Iran has also banned American nuclear inspectors from entering any nuclear site or participating on any International Atomic Energy Agency inspection team. No American can participate.

Let's just say, for argument's sake, that Iran is caught cheating, as unlikely as that might be—and I am being facetious obviously—what happens then? Well, it says it right here. It is very clear. The deal states that, if the countries believe that Iran is not meeting its commitment under this agreement, they can refer the issue to the joint commission.

The commission would have 15 days or longer to resolve the issue; then the issue can be referred to the ministers of foreign affairs if the commission could not resolve the issue. That is another 15 days for the ministers, Mr. Speaker.

Let's do the math. We are already up to 30 days at the minimum. Then the compliance participant could request that the issue be considered to the advisory board, which will have another 15 days to issue a nonbinding opinion.

If it is not resolved during this process and the U.N. Security Council gets notified, by the end, another 2 months or so would have passed and given Iran enough time to lobby Russia, China, and the rest of the P5+1 to vote with them so that sanctions are not reimposed.

Remember, Mr. Speaker, sanctions will only be reimposed in the event of a significant nonperformance by Iran. The key word there is ''significant.''

What does the U.S. consider significant violations? What do the Europeans consider significant violations? What does China consider it? What does Russia and Iran, itself, consider significant violations?

Iran can prevent from sanctions being reimposed, as long as they cheat only in small increments and not significantly. If they just cheat a little bit, they can get away with it.

Additionally, the JCPOA explicitly states: ''Iran has stated that if sanctions are reinstated in whole or in part, Iran will treat that as grounds to cease performing its commitment under this JCPOA in whole or in part.''

Iran is saying: If you put sanctions on us, we don't have to continue with this agreement.

I am not making it up. That is a quote. Even if Iran is caught cheating and we move to reimpose sanctions, as we are entitled to do under the JCPOA, Iran is actually entitled to walk away from the deal.

In conclusion, Mr. Speaker, I feel that Iran will use this as its trump card to bully the P5+1 into not addressing violations or holding Iran accountable for its cheating. Even though the United States has the ability to veto a Security Council vote, choosing not to reimpose sanctions and hold Iran accountable, we must, again, remember that such a veto would unravel this deal, reapply sanctions, and allow Iran to claim it can walk away.

Finally, an effective sanctions regime against Iran that was established over many years cannot be easily reapplied. The idea of snapback sanctions is simply not viable.

Mr. Speaker, I could go on and on about all of the loopholes in this deal. Suffice it to say, we can do better than this. We must do better than this. We owe it to our children and our grandchildren to do better than this.

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

□ 2130

THE IRAN DEAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I both applaud and appreciate the comments by my colleague, a person I love being a colleague with, Ms. ILEANA ROS-LEHTINEN. These are profound points, excellent points, she has been making about the so-called Iran deal.

What is shocking to me—and I got this copy that a friend was using, but the pages aren't numbered. By the way, Mr. Speaker, when Secretary Kerry came to the Hill today—in having been through briefings by our Secretary previously—I knew that the best use of my time would be in going and reading the deal for myself, which is what I did.

It was interesting. I know that we have been assured over and over publicly that this is such a great deal, that this is what is going to really save the world from the Iranians having a nuclear deal, but there are some very troubling things that I haven't heard anybody mention about this agreement.

Actually, there is a report that there is an outside deal that has to be arranged by the IAEA with Iran in order

to have a complete deal, which is that the IAEA is going to have to work out terms—conditions—of its examination of some of the nuclear facilities in Iran. That is deeply troubling.

Here is a story by Joel Gehrke from July 21, entitled ''House Republican: Obama Administration Won't Release Full Iran Deal to Congress.''

It reads:

''Senator TOM COTTON and Representative MIKE POMPEO, who serves on the House Intelligence Committee, learned of the arrangement while meeting with the IAEA in Vienna, Austria, last week. 'That we are only now discovering that parts of this dangerous agreement are being kept secret begs the question of what other elements may also be secret and entirely free from public scrutiny.' ''

Meeting with the IAEA is something that I have done in the last year and a half, but because of the ban by our Speaker on my being able to travel because I was hoping to have a different Speaker, I am not able to visit anymore in a room with the IAEA in their office in Vienna. That was immensely helpful to do in the job.

As one of the Speaker's folks mentioned, they see taxpayer-funded travel as a reward, and I haven't earned their giving away taxpayer-funded travel. Apparently, that is something you earn by voting like you are told to. In any event, I am glad that MIKE POMPEO and Senator TOM COTTON have been over there and have met with them.

There is just so much about this deal that stinks to high heaven, especially when you see it today, in that, apparently, in the last year or so, there must have been approval for an exception to the sanctions on Iran to allow Iran to have 13 metric tons of pure gold shipped to it from South Africa.

Then we find out today that, actually, the U.S. was releasing $4.2 billion to Iran, apparently in return, paying them to sit down and negotiate further.

Mr. Speaker, I will tell you that our allies have got to be really miffed as they find out more and more about the way this administration operates.

If you are our friend, we are going to cut deals with your enemy that create a real issue as to whether or not you may exist in the future. But if you are our enemy, we will pay you just to sit down and negotiate with us.

We will allow you to get gold shipped to you from 13 metric tons. There is no telling how much grief those 13 metric tons of gold have cost the U.S. I wonder how many American lives have had their demise contributed to because of the gold.

How many Jews or Christians around the world have lost their lives as a result of this administration's paying the world's leading sponsor of terror all of this money, apparently, just to sit down with them and releasing all of this money in the past just to get them to come to the table? We don't do that with our friends. We don't pay them to sit down with us.

We have already seen this in the attempted dealings with the Taliban. Mr. Speaker, it has not been that many years ago. It has been since I have been in Congress that this administration was reaching out to the Taliban, which has killed so many Americans and continues to kill Americans.

In fact, under Commander in Chief George W. Bush, we lost—I believe it was—about 560 precious military American lives in Afghanistan in that entire 7½ years—about 7¼ years, actually.

This President has only been in office 6½ years, and under his command—his rules of engagement that cripple our military's ability to defend themselves—under this administration and this Commander in Chief's rules, there have been over three times that many lost American, precious, military lives.

With this President being in command of three times the number of lost American military lives in Afghanistan, this administration's approach couldn't learn anything from the Bush administration's mistakes and successes.

Instead, it decided to reach out. There are all kinds of reports of their reaching out their offers. ''Look, Taliban. If you will just sit down—no preconditions. If you will just agree to sit down with us, we will be releasing murderers you want released from Guantanamo or anywhere else. Not only that, we will buy you luxurious offices in Qatar—or wherever you say—just to sit down with us.''

Our enemies have really learned how to deal with this administration. Our friends have got to be scratching their heads, those who still have their heads. Therein lies another tragedy.

In this agreement, until I can be sure that the parts I read have been released publicly—and that is why I was asking for this copy of the agreement. It is a different format from what I was reading earlier today.

As a judge, as a chief justice, even as a lawyer who has taken on the world's largest oil company—I did years ago successfully—and as a lawyer who has taken on some pretty unbelievable efforts, words mean a lot when I am reading through things.

There is one word that particularly catches my attention, and that is the little two-letter disjunctive word ''or.'' Until I can be sure that what I had read has been released—it should be. There is no reason that this agreement should not be public so everyone can read it.

To those folks out there who are saying, ''Hey, it is a 10-year deal. It will keep Iran from having nuclear weapons for 10 years. Even though it may come back and have a nuclear weapon within a month, 2 months, 3 months after the 10 years, at least it will keep them tied up for 10 years,'' I would encourage anybody who has access to the actual agreement to look at any years mentioned—8, 10, whatever it is—and then see if there is that little two-letter disjunctive word ''or'' and then see if there is a provision for a shorter time than 10 years or a shorter time than 8 years to develop intercontinental ballistic missiles.

These are things I have seen publicly, but I think it is critical. What kind of time or length of time of this deal are we looking at?

If there is this disjunctive little word ''or'' anywhere after any time that this deal will last, we need to know how long that other provision might be that would be shorter than 10 years.

If that provision, if such exists, puts the hands of how long this deal will last completely out of the United States' hands, completely out of the P5+1, then that alone makes this deal a ''no'' deal. It is outrageous that anything but a hard timeline could exist in such a deal.

There is a story from July 16 by James Jay Carafano. The first paragraph reads:

''Once a major diplomatic agreement is inked, the world typically reacts by holding its breath, waiting to see if it will all turn out all right. Some deals, like the Munich Pact, crumble quickly. Others, like the Camp David Accords, hang in there; but rarely has there been a deal like the one reached in Vienna last night—a deal in which all the nations most closely affected by it, including Iran, pretty much start out knowing it won't end well.''

Here, Mr. Speaker, I would like to point out that, as absolutely atrocious as the Clinton-Albright-Wendy Sherman deal with North Korea was, at least South Korea and Japan were involved and present for the talks, because our allies Japan and South Korea were the ones most affected by any deal that the United States cut with North Korea.

Now, it was an outrageous agreement. I mean, I was just a district judge at the time, but I knew, clearly, from history and from current events, that it was a deal that said, ''Here, North Korea. We will help you build nuclear reactors, which will give you nuclear material to make sure you have got what you need. All we ask in return, basically, is that you promise that you will never use any of this stuff to create nuclear weapons.''

□ 2145

Of course, North Korea jumped on that deal—different from here, though. The number one most affected country by this deal is our dear friend Israel.

Well, this President and all his minions could not get Prime Minister Netanyahu defeated and out of office, as they tried to do. This administration has tried to punish Israel different ways, and those in the administration who really do want to punish Israel, that don't like Israel, they have got to be smiling over this deal because it is absolutely unconscionable what has been done in the deal as it affects the future of Israel. It is just incredible that we could allow this.

Then Saudi Arabia, right there in the vicinity, they certainly understand

what a bad deal this is. As we understand it, they are already making clear they are going to have to have a nuclear weapon. Egypt is going to need a nuclear weapon.

This deal makes clear that Iran is going to have nuclear weapons in at least 10 years; 10 years, 2 months, whatever anybody wants to say, or out of my concern, possibly much sooner than that legally under the deal, even if it were ratified by the Senate. This is of tremendous concern.

This is what the entire world, except for the most evil perpetrators in it, has worried most about, a point in world history where there is massive proliferation of nuclear weapons.

It won't do much good to return a Nobel Peace Prize after a President causes nuclear proliferation that leads ultimately to the loss of millions of lives and rampant destruction around the world and, certainly, in the Middle East.

We have got all these folks worried about climate change, and here we are, on the brink of 10 years, at the most, before the most terroristic evil nation—well, the nation is not evil, their leaders are—the most evil leaders in the world have their hands on nuclear weapons that will kill millions of people.

It won't do much good for all those who lose their lives in a horrible flash if the President sends back his Nobel Peace Prize as being the cause of that.

That is why it is so important that we stop this deal. I don't have any belief at all that anybody in this administration wants the world to go up, after nuclear proliferation, in one big mushroom cloud.

I don't believe that; I know that is not true, but that is what their actions—if not stopped by Senators and House Members, that is what is going to happen.

This is not just me saying so. Dr. Carafano says: ''The whole neighborhood will race to go nuclear. The number one concern with the way this deal was structured was that it was bound to accelerate nuclear proliferation. Iran has violated its obligations under the Nuclear Nonproliferation Treaty and repeatedly thumbed its nose at oversight from the International Atomic Energy Agency, the IAEA. Yet it winds up getting a great deal under the agreement—better, in fact, than the deal the United States gives its friends and allies, through the 123 civil nuclear agreements. If regional powers like Turkey, Egypt, and Saudi Arabia believe that the likelihood of Iran getting a weapon is undiminished and the penalty for becoming a nuclear breakout power is plummeting, then the deterrent for them to cross the nuclear threshold drops as well.

''Tehran gets to keep its vast nuclear infrastructure and its missile program.''

It goes on to talk about that.

''Sanctions relief will make the region far less safe.''

''The deal is temporary, by design.''

I tell you, Mr. Speaker, we hear from our friends in the U.S. Chamber of Commerce, our local chambers of commerce, at least, about how normally to calculate economic impact of $1 being spent somewhere, you have to multiply it times seven because that dollar gets spent again and spent again and spent again.

I would submit that, with this deal with Iran, the most evil leaders in the world, the $100 billion to $150 billion that this administration makes sure they have can't just be limited by $100 billion to $150 billion when it comes to the calculation of evil that will result from that money.

We can be sure that, since Iran sponsors terrorism around the world, that it will spend a lot of that money creating terrorism with other terrorists and with other evil people; and those evil people will then be able to take the billions of dollars they get from Iran and spend that for their evil purposes with other evil people.

You may be looking at, really, a trillion dollars by the time all of that money gets spent when you look at it as chambers of commerce normally do. The potential for evil, for the $100 billion to $150 billion going to an unrepentant sponsor of world terrorism, is really dramatic.

It is just incredible that this is happening on anybody's watch; Republican, Democrat, it doesn't matter. It is incredible.

Here is an article by Sarah Wheaton, July 21st: ''In both a muscular speech to the Veterans of Foreign Wars in Pittsburgh and a taping of 'The Daily Show with Jon Stewart,' Obama cast critics of his diplomacy as the same kind of misguided warmongers who pushed for the invasion of Iraq during George W. Bush's Presidency.''

I guess that includes Hillary Clinton; John Kerry, I think he may have been on board with that.

The article says: '''We're hearing the echoes of some of those same policies and mindset that failed us in the past,' Obama said in Pittsburgh. His loudest critics, he added, are 'the same folks who were so quick to go to war in Iraq and said it would take a few months.'''

Well, it is interesting to me that our President reserves making his case for the Iran deal for a venue such as Comedy Central, and it really would be a comedic escapade if this weren't so serious and we weren't talking about the existence of Israel, the continued lives or stoppage of lives of Christians and Jews around the world.

We know what the leaders of Iran think. They never, ever stop saying what they think. It is just incredible. They have never stopped demanding ''death to America'' and ''death to Israel.''

I see this article by Raf Sanchez from July 21st: ''The U.S. said on Tuesday it was disturbed by an outburst of anti-American rhetoric from Iran's Supreme Leader in the wake of the nuclear deal, as fierce debates over the agreement began in both the Iranian Parliament and U.S. Congress.

''John Kerry, the U.S. Secretary of State, said he was troubled by a fiery speech in which Ayatollah Khamenei promised to continue fomenting unrest across the Middle East and said Iran's 'policy towards the arrogant U.S. will not change.'

'''If it is the policy, it's very disturbing, it's very troubling, and we'll have to wait and see.'''

No, we shouldn't have to wait and see. When Iran's evil leaders say they are going to keep fomenting trouble, they are going to keep killing Christians and Jews across the Middle East, they are going to keep killing moderate Muslims in the Middle East, we should not wait; we should take them seriously. They are saying it while the deal is still not affirmed and ratified here in the United States.

You would have to be a blooming idiot to make a deal with people who are saying they are going to take the money they get from this deal and kill Americans, kill Christians, kill Jews, and give them the money anyway. There are going to be consequences for this kind of irresponsibility.

Mr. Speaker, I would just encourage anyone who has access to an updated copy of the Iran deal, look to see for sure if it is limited to a 10-year deal or perhaps could somebody do an inspection and say, Oh, it is all good—maybe it is a 5-year deal instead of a 10-year deal.

When the person making the agreement has no power after the deal is signed, sealed, and delivered over when that deal ends, it is not a deal that should be made. That alone ought to be enough to make anyone walk away from it.

Mr. Speaker, I am immensely concerned for our friends around the world. I have mentioned numerous times—and I keep going back to the words of a west African named Ebeneezer, a senior citizen there in west Africa who explained how excited they were when we elected our first Black President, but they have seen America get weaker, and he begged me to tell people in Washington that, when we get weaker in America, they suffer more around the world and specifically in Africa. Those words still bother me.

This deal with an evil group of leaders in Iran is going to spell death down the road for masses of people if we don't get it stopped.

Mr. Speaker, that is my plea. Let's stop the deal for the good of the world.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLAWSON of Florida (at the request of Mr. MCCARTHY) for today on account of a family emergency.

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for today until 3 p.m.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 286. An act to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Natural Resources.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 57 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 23, 2015, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2262. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's interim rule — Emerald Ash Borer; Quarantined Areas [Docket No.: APHIS-2015-0028] received July 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2263. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Khapra Beetle; New Regulated Countries and Regulated Articles [Docket No.: APHIS-2013-0079] received July 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2264. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Kenneth J. Glueck, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2265. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Colonel David W. Maxwell, United States Marine Corps, to wear the insignia of the grade of brigadier general, in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

2266. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps [Docket No.: EERE-2012-BT-STD-0029] (RIN: 1904-AC82) received July 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2267. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2268. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Fireworks Display, Columbia River, Cathlamet, WA [Docket No.: USCG-2015-0358] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2269. A letter from the Board Members, Federal Old-Age And Survivors Insurance And Federal Disability Insurance Trust Funds, transmitting the 2015 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, in accordance to Sec. 709 of the Social Security Act; (H. Doc. No. 114—51); to the Committee on Ways and Means and ordered to be printed.

2270. A letter from the Boards of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2015 Annual Report of the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds; (H. Doc. No. 114—50); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 521. A bill to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska; with an amendment (Rept. 114–217, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2770. A bill to amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes; with an amendment (Rept. 114–218). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 998. A bill to establish the conditions under which the Secretary of Homeland Security may establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States, and for other purposes; with an amendment (Rept. 114–219, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2127. A bill to direct the Administrator of the Transportation Security Administration to limit access to expedited airport security screening at an airport security checkpoint to participants of the PreCheck program and other known low-risk passengers, and for other purposes; with an amendment (Rept. 114–220). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2843. A bill to require certain improvements in the Transportation Security Administration's PreCheck expedited screening program, and for other purposes; with an amendment (Rept. 114–221). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 1300. A bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes; with an amendment (Rept. 114–222, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 370. Resolution providing for consideration of the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration (Rept. 114–223). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 521 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Ways and Means discharged from further consideration. H.R. 998 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 1300 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA:

H.R. 3149. A bill to amend title 49, United States Code, to establish a limit on checked baggage fees imposed by air carriers on passengers in air transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BECERRA (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JUDY CHU of California, Ms. LEE, Mr. POCAN, Mr. LANGEVIN, Mr. BLUMENAUER, Mr. DOGGETT, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Mr. MCDERMOTT, Mr. LEWIS, Mr. NEAL, Mr. THOMPSON of California, Mr. PASCRELL, Mr. LARSON of Connecticut, Ms. SCHAKOWSKY, Ms. MATSUI, Mr. CUMMINGS, Mr. GRIJALVA, and Mr. ELLISON):

H.R. 3150. A bill to amend title II of the Social Security Act to merge the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. BROOKS of Alabama (for himself, Ms. JENKINS of Kansas, Mr. FARENTHOLD, and Mr. SMITH of Texas):

H.R. 3151. A bill to require the Director of U.S. Immigration and Customs Enforcement to submit annual reports regarding certain demographic information on aliens arrested; to the Committee on the Judiciary.

By Mr. NOLAN:

H.R. 3152. A bill to amend the Rural Electrification Act of 1936 to establish an Office of Rural Broadband Initiatives in the Department of Agriculture, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNIGHT (for himself and Ms. BROWNLEY of California):

H.R. 3153. A bill to authorize a national memorial to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes; to the Committee on Natural Resources.

By Mr. MULLIN (for himself and Mr. LOEBSACK):

H.R. 3154. A bill to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE (for herself, Mr. CONYERS, Ms. BASS, Mr. BLUMENAUER, Ms. BROWN of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. GRIJALVA, Ms. HAHN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. PIERLUISI, Mr. RANGEL, Mr. RICHMOND, Mr. SERRANO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. VEASEY, Mr. ELLISON, Mr. PETERS, Ms. MAXINE WATERS of California, Mr. HINOJOSA, Mr. VARGAS, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas):

H.R. 3155. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the humane treatment of youths who are in police custody, and for other purpose; to the Committee on the Judiciary.

By Ms. JACKSON LEE (for herself, Mr. CONYERS, Ms. BASS, Ms. BROWN of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. CLAY, Ms. CLARKE of New York, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. DANNY K. DAVIS of Illinois, Mr. DEUTCH, Ms. EDWARDS, Mr. GRIJALVA, Ms. HAHN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. PIERLUISI, Mr. RANGEL, Mr. RICHMOND, Mr. SERRANO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. VEASEY, Mr. ELLISON, Mr. PETERS, Ms. MAXINE WATERS of California, Mr. HINOJOSA, Mr. VARGAS, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas):

H.R. 3156. A bill to provide for the expungement and sealing of youth criminal records, and for other purposes; to the Committee on the Judiciary.

By Mr. ROKITA (for himself, Ms. FUDGE, Mr. KLINE, and Mr. SCOTT of Virginia):

H.R. 3157. A bill to amend the General Education Provisions Act to strengthen privacy protections for students and parents; to the Committee on Education and the Workforce.

By Ms. JACKSON LEE (for herself, Mr. CONYERS, Ms. BASS, Ms. BROWN of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. CLAY, Ms. CLARKE of New York, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. DANNY K. DAVIS of Illinois, Mr. DEUTCH, Ms. EDWARDS, Mr. GRIJALVA, Ms. HAHN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. PIERLUISI, Mr. RANGEL, Mr. RICHMOND, Mr. SERRANO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. VEASEY, Mr. ELLISON, Mr. PETERS, Ms. MAXINE WATERS of California, Mr. HINOJOSA, Mr. VARGAS, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas):

H.R. 3158. A bill to provide alternatives to incarceration for youth, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHFORD (for himself and Mr. FORTENBERRY):

H.R. 3159. A bill to amend the Immigration and Nationality Act to provide for expedited naturalization processes for the alien spouses of first responders who die as a result of their employment, and for other purposes; to the Committee on the Judiciary.

By Ms. BASS (for herself, Mr. MCDERMOTT, Mr. MARINO, Mr. LANGEVIN, Mrs. BLACK, Mr. FRANKS of Arizona, Ms. CLARKE of New York, Mr. RANGEL, Ms. NORTON, Mr. CARSON of Indiana, Ms. WILSON of Florida, Mrs. LAWRENCE, Ms. JUDY CHU of California, Ms. LEE, Mr. VAN HOLLEN, Mr. SEAN PATRICK MALONEY of New York, Mr. DANNY K. DAVIS of Illinois, Mrs. NAPOLITANO, Mr. WILSON of South Carolina, Mr. DOGGETT, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. HONDA, Mr. POCAN, Mrs. WATSON COLEMAN, Mr. VARGAS, Mr. NADLER, Mr. BARLETTA, Mr. KEATING, and Mrs. HARTZLER):

H.R. 3160. A bill to amend part E of title IV of the Social Security Act to allow States that provide foster care for children up to age 21 to serve former foster youths through age 23 under the John H. Chafee Foster Care Independence Program; to the Committee on Ways and Means.

By Mr. BOUSTANY:

H.R. 3161. A bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Heartland, Habitat, Harvest, and Horticulture Act of 2008 relating to timber, and for other purposes; to the Committee on Ways and Means.

By Mr. COLLINS of Georgia (for himself, Mrs. LUMMIS, Mr. NEUGEBAUER, Mr. HUIZENGA of Michigan, Mr. AMODEI, Mr. LUETKEMEYER, Mr. THOMPSON of Pennsylvania, and Mr. VALADAO):

H.R. 3162. A bill to amend the Endangered Species Act of 1973 to improve the disclosure of certain expenditures under that Act, and for other purposes; to the Committee on Natural Resources.

By Ms. DUCKWORTH (for herself, Mr. CROWLEY, Mr. MURPHY of Florida, Mr. RANGEL, Mr. GRIJALVA, Ms. NORTON, Mr. PAYNE, Ms. CLARK of Massachusetts, Mr. BERA, Mr. TED LIEU of California, Mr. MCDERMOTT, Mr. POCAN, Mr. BLUMENAUER, Ms. BONAMICI, Mrs. WATSON COLEMAN, Mr. RYAN of Ohio, Mr. NADLER, Ms. DEGETTE, Ms. FRANKEL of Florida, Ms. CASTOR of Florida, Ms. DELBENE, Mr. DEUTCH, Ms. SLAUGHTER, Mr. LEWIS, Mrs. BEATTY, Mr. BEYER, Ms. WASSERMAN SCHULTZ, Mr. DAVID SCOTT of Georgia, Miss RICE of New York, Mr. ELLISON, Ms. JACKSON LEE, Ms. SPEIER, Mr. GRAYSON, Mrs. DAVIS of California, Mr. CUMMINGS, Mrs. CAPPS, Ms. KUSTER, Ms. CLARKE of New York, Ms. SCHAKOWSKY, Ms. DELAURO, Mr. WELCH, Ms. HAHN, Ms. WILSON of Florida, Mr. ENGEL, Mr. HONDA, Mr. COHEN, Ms. EDWARDS, Mr. MOULTON, Ms. PINGREE, Ms. TITUS, Mr. PETERS, Mr. HASTINGS, Mr. VAN HOLLEN, Mr. CAPUANO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CONYERS, Mr. SEAN PATRICK MALONEY of New York, Mr. DESAULNIER, Mr. CÁRDENAS, Mr. TONKO, Ms. MOORE, Mrs. LAWRENCE, Mr. DEFAZIO, Ms. BROWNLEY of California, Mr. QUIGLEY, Ms. MCCOLLUM, Mrs. BUSTOS, Ms. LEE, Mr. LARSEN of Washington, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BRADY of Pennsylvania, Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of Georgia, Ms. JUDY CHU of California, Mr. O'ROURKE, Mr. LOEBSACK, and Ms. ROYBAL-ALLARD):

H.R. 3163. A bill to ensure timely access to affordable birth control for women; to the Committee on Energy and Commerce.

By Mr. ELLISON (for himself, Mr. GRIJALVA, Mr. CONYERS, Ms. JUDY CHU of California, Ms. NORTON, Ms. JACKSON LEE, Mr. VAN HOLLEN, Ms. LEE, Mr. HONDA, Mr. RANGEL, Mr. PALLONE, Ms. ROYBAL-ALLARD, Ms. HAHN, Mr. MCDERMOTT, Mr. FARR, Ms. ADAMS, Mr. NADLER, Mr. LOWENTHAL, Ms. SCHAKOWSKY, Ms. VELÁZQUEZ, Mr. MEEKS, Mr. POCAN, Mr. GALLEGO, Mr. COHEN, Mr. TAKANO, Mrs. WATSON COLEMAN, Ms. EDWARDS, Mr. SERRANO, Mr. LEWIS, Mr. BLUMENAUER, Ms. DELAURO, Mr. CUMMINGS, Mr. BEYER, Mr. TED LIEU of California, Mr. SIRES, and Mr. MCGOVERN):

H.R. 3164. A bill to provide for increases in the Federal minimum wage; to the Committee on Education and the Workforce.

By Mr. GOHMERT:

H.R. 3165. A bill to provide for the apprehension, detention, and removal of certain aliens arrested by the District of Columbia, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. COLE, and Mrs. NAPOLITANO):

H.R. 3166. A bill to amend section 520E of the Public Health Service Act to require States and their designees receiving grants for development or implementation of statewide suicide early intervention and prevention strategies to consult with each Federally recognized Indian tribe, tribal organization, and urban Indian organization in the State; to the Committee on Energy and Commerce.

By Mr. KATKO:

H.R. 3167. A bill to amend the Internal Revenue Code of 1986 to prohibit the designation of individuals who are not employees of the Internal Revenue Service to examine certain books and witnesses; to the Committee on Ways and Means.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. ZELDIN):

H.R. 3168. A bill to amend title 23, United States Code, to include bridges on the National Highway Performance Program; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 3169. A bill to revise the composition of the Board of Regents of the Smithsonian Institution so that all members are individuals appointed by the President from a list of nominees submitted by the leadership of the Congress, and for other purposes; to the Committee on House Administration.

By Mr. NUGENT:

H.R. 3170. A bill to amend the Internal Revenue Code of 1986 to allow without penalty any 529 plan distributions used for student loans payments; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself and Mr. DUFFY):

H.R. 3171. A bill to amend the Public Health Service Act to prohibit certain research on the transplantation of human fetal tissue obtained pursuant to an abortion; to the Committee on Energy and Commerce.

By Mr. STEWART:

H.R. 3172. A bill to amend the Wild Free-Roaming Horses and Burros Act to provide for State and tribal management and protection of wild free-roaming horses and burros, and for other purposes; to the Committee on Natural Resources.

By Ms. GRANGER:

H. Con. Res. 64. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Monuments Men; to the Committee on House Administration.

By Ms. CLARKE of New York (for herself, Ms. MENG, Ms. LEE, Mr. SERRANO, Mr. PAYNE, Mrs. WATSON COLEMAN, Mrs. LAWRENCE, Ms. NORTON, Mr. HASTINGS, Ms. WILSON of Florida, Ms. JACKSON LEE, Mr. LEWIS, and Mr. RANGEL):

H. Res. 371. A resolution expressing the sense of the House of Representatives that there should be established a ''National African Immigrant Heritage Month'' in September to celebrate the great contributions of Americans of African immigrant heritage in the United States who have enriched the history of the Nation; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

100. The SPEAKER presented a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 13, urging the United States Congress and the President of the United States to recognize that crude oil exports and free trade are in the national interest and take all necessary steps to eliminate the current ban on crude oil exports; jointly to the Committees on Foreign Affairs and Ways and Means.

101. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 5, expressing dissatisfaction with the Federal Government's inadequate efforts to secure the Texas-Mexico international border; jointly to the Committees on Homeland Security and the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MICA:

H.R. 3149.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3

By Mr. BECERRA:

H.R. 3150.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. BROOKS of Alabama:

H.R. 3151.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. NOLAN:

H.R. 3152.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. KNIGHT:

H.R. 3153.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18, relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress.

By Mr. MULLIN:

H.R. 3154.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution of the United States.

By Ms. JACKSON LEE:

H.R. 3155.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. JACKSON LEE:

H.R. 3156.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. ROKITA:

H.R. 3157.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Ms. JACKSON LEE:

H.R. 3158.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. ASHFORD:

H.R. 3159.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. The Congress shall have the Power To establish an uniform Rule of Naturalization.

By Ms. BASS:

H.R. 3160.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. BOUSTANY:

H.R. 3161.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. COLLINS of Georgia:

H.R. 3162.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 of the United States Constitution

By Ms. DUCKWORTH:

H.R. 3163.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8, Clause 18 of the United States Constitution which gives Congress the authority to ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof.''

By Mr. ELLISON:

H.R. 3164.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8 of the Constitution of the United States, which states:

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. GOHMERT:

H.R. 3165.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4, US Constitution: To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

Article 1, Section 8, Clause 17 US Constitution: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;

By Mr. GRIJALVA:

H.R. 3166.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §8.

By Mr. KATKO:

H.R. 3167.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which states that ''The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3168.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. NORTON:

H.R. 3169.

Congress has the power to enact this legislation pursuant to the following:

clause 18, section 8 of article I of the Constitution.

By Mr. NUGENT:

H.R. 3170.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. SENSENBRENNER:

H.R. 3171.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. STEWART:

H.R. 3172.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 4 allows that ''The United States shall guarantee to every State in this union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 204: Mr. MACARTHUR.
H.R. 217: Mr. HUNTER, Mr. STIVERS, and Mr. ALLEN.
H.R. 243: Mr. GIBSON.
H.R. 244: Mr. BARLETTA.
H.R. 303: Mr. ENGEL, Mr. HINOJOSA, Mrs. LAWRENCE, and Mr. TAKANO.
H.R. 341: Mrs. NAPOLITANO.
H.R. 402: Mr. MOOLENAAR.
H.R. 423: Mr. ROTHFUS.
H.R. 425: Mr. YARMUTH.
H.R. 510: Mr. SCHWEIKERT.
H.R. 540: Ms. ROYBAL-ALLARD.
H.R. 592: Mrs. WALORSKI, Mr. ABRAHAM, Mr. BLUMENAUER, Mr. BISHOP of Michigan, and Mr. AMODEI.
H.R. 707: Mr. GROTHMAN.
H.R. 767: Ms. WILSON of Florida.
H.R. 799: Mr. RYAN of Ohio.
H.R. 816: Mr. BENISHEK, Mr. MURPHY of Pennsylvania, Mr. RIBBLE, and Mr. WOMACK.
H.R. 836: Mr. JENKINS of West Virginia, Mr. SHUSTER, Miss RICE of New York, Mr. FITZPATRICK, Mr. SENSENBRENNER, and Mr. BISHOP of Michigan.
H.R. 855: Mr. BUCHANAN.
H.R. 863: Mrs. HARTZLER.
H.R. 879: Mr. GRAVES of Louisiana.
H.R. 916: Mr. WALZ.
H.R. 921: Mrs. WALORSKI, Mr. PIERLUISI, and Mr. ROE of Tennessee.
H.R. 961: Mr. MARCHANT.
H.R. 969: Mr. CARNEY, Mrs. DINGELL, and Ms. DUCKWORTH.
H.R. 985: Mr. GRIFFITH.
H.R. 994: Mr. MCGOVERN.
H.R. 1142: Mr. WALZ.
H.R. 1148: Mr. BRIDENSTINE, Mr. BUCHANAN, and Mrs. ROBY.
H.R. 1192: Mr. CULBERSON, Mr. HENSARLING, Mr. SABLAN, and Mr. FLORES.
H.R. 1197: Mr. LONG and Mr. COLLINS of New York.
H.R. 1209: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. NEWHOUSE, Ms. JUDY CHU of California, Mr. DENT, and Mrs. MILLER of Michigan.
H.R. 1211: Ms. LEE, Ms. CLARKE of New York, Mr. RYAN of Ohio, Ms. NORTON, Mr. NOLAN, and Mr. CARTWRIGHT.
H.R. 1220: Mr. BARLETTA.
H.R. 1258: Miss RICE of New York.
H.R. 1288: Mrs. LOWEY, Ms. DUCKWORTH, Ms. JUDY CHU of California, Mr. SEAN PATRICK MALONEY of New York, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. NOLAN.
H.R. 1301: Mr. MURPHY of Pennsylvania.
H.R. 1312: Ms. SCHAKOWSKY and Ms. CLARK of Massachusetts.
H.R. 1343: Ms. MCCOLLUM and Mr. OLSON.
H.R. 1344: Mr. BEN RAY LUJÁN of New Mexico and Mr. SMITH of Nebraska.
H.R. 1356: Mr. KLINE, Mr. BARR, Mr. PETERS, Mr. GIBSON, Mr. YOUNG of Iowa, Mr. WITTMAN, Mrs. BEATTY, Mr. FARENTHOLD, and Ms. BROWNLEY of California.
H.R. 1384: Mr. KATKO, Mr. FARENTHOLD, and Ms. GRANGER.
H.R. 1388: Mr. FLEMING and Mrs. WALORSKI.
H.R. 1401: Mrs. MCMORRIS RODGERS.
H.R. 1415: Ms. BORDALLO.
H.R. 1419: Mr. POCAN.
H.R. 1422: Mr. STEWART.
H.R. 1441: Mr. LARSEN of Washington and Mrs. BUSTOS.
H.R. 1453: Mr. LARSEN of Washington.
H.R. 1462: Mr. JOYCE.
H.R. 1475: Mr. JOLLY, Mr. PEARCE, and Mr. PIERLUISI.
H.R. 1505: Mrs. LOVE and Ms. BORDALLO.
H.R. 1516: Mr. RENACCI.
H.R. 1546: Mr. VEASEY and Mr. CRAMER.
H.R. 1600: Ms. ESTY.
H.R. 1610: Mr. LATTA, Mr. MARCHANT, and Mr. CUELLAR.
H.R. 1624: Mr. AMODEI, Mr. MCCLINTOCK, Mr. FLEISCHMANN, Mrs. LOVE, Mr. WALBERG, Mrs. HARTZLER, Mr. WITTMAN, Mr. LOUDERMILK, and Mr. HULTGREN.
H.R. 1625: Mr. COOPER.
H.R. 1628: Mr. KEATING.
H.R. 1669: Mrs. LUMMIS.
H.R. 1684: Ms. FRANKEL of Florida.
H.R. 1748: Mr. TONKO, Mr. GRAVES of Missouri, Mr. BLUMENAUER, Mr. VARGAS, Mr. CRENSHAW, and Mr. STIVERS.
H.R. 1814: Mr. KEATING, Mr. FOSTER, Mr. PASCRELL, Mr. LYNCH, and Mr. COURTNEY.
H.R. 1848: Mr. BEYER and Mr. BLUMENAUER.
H.R. 1853: Mr. JOHNSON of Ohio.
H.R. 1886: Mr. GIBBS.
H.R. 1901: Mr. HARPER and Mr. NUGENT.
H.R. 1919: Mr. NEWHOUSE.
H.R. 1929: Mr. WILLIAMS.
H.R. 1940: Ms. LEE.
H.R. 1941: Mr. MILLER of Florida and Mr. STEWART.
H.R. 1969: Mrs. DINGELL, Mr. YOUNG of Iowa, Ms. MCSALLY, and Mr. WITTMAN.
H.R. 1986: Mr. ZINKE.
H.R. 1994: Mr. COOK, Mr. ALLEN, Mr. YOUNG of Iowa, and Mr. KATKO.
H.R. 2013: Ms. PINGREE.
H.R. 2017: Mr. BLUM, Mr. HUELSKAMP, Mrs. WALORSKI, and Mr. AMODEI.
H.R. 2025: Mr. CROWLEY.
H.R. 2030: Ms. LOFGREN, Mr. QUIGLEY, and Mr. ISRAEL.
H.R. 2043: Mr. ROGERS of Alabama, Mr. YODER, and Mr. PASCRELL.
H.R. 2058: Mr. WALKER.
H.R. 2063: Ms. CLARK of Massachusetts.
H.R. 2123: Mrs. BROOKS of Indiana, Mr. FRANKS of Arizona, Ms. LOFGREN, Mrs. BEATTY, and Mr. DESANTIS.
H.R. 2156: Mr. SIRES.
H.R. 2193: Mr. BLUMENAUER.
H.R. 2209: Mr. POLIQUIN.
H.R. 2213: Mrs. NOEM and Mr. ROUZER.
H.R. 2217: Mr. TAKANO.
H.R. 2241: Ms. DELBENE.
H.R. 2243: Mr. LATTA.
H.R. 2280: Ms. ROYBAL-ALLARD.
H.R. 2330: Mrs. LAWRENCE.
H.R. 2350: Mr. NORCROSS.
H.R. 2380: Mr. QUIGLEY.
H.R. 2391: Ms. EDWARDS and Ms. BROWN of Florida.
H.R. 2400: Mr. MEADOWS, Mrs. WALORSKI, Mr. CURBELO of Florida, Mr. DUNCAN of South Carolina, Mr. SANFORD, Mr. LATTA, and Mr. FITZPATRICK.
H.R. 2405: Mr. BOUSTANY.
H.R. 2429: Mr. SCHIFF.
H.R. 2430: Mr. NEAL, Mr. HECK of Washington, Mr. HASTINGS, and Miss RICE of New York.
H.R. 2460: Mr. POMPEO.
H.R. 2483: Mr. KLINE and Mr. SALMON.
H.R. 2493: Mr. SHERMAN, Ms. MCSALLY, and Mr. MOULTON.
H.R. 2510: Mr. KLINE.
H.R. 2544: Mr. FARENTHOLD.
H.R. 2567: Mr. DENT.
H.R. 2602: Ms. NORTON, Mrs. BEATTY, Mr. DEFAZIO, Mr. LYNCH, Mr. TONKO, Mr. KENNEDY, Ms. TITUS, Ms. SCHAKOWSKY, Ms. JACKSON LEE, and Ms. PLASKETT.
H.R. 2606: Mr. WILLIAMS.
H.R. 2607: Mr. KING of New York.
H.R. 2627: Mr. RANGEL.
H.R. 2643: Mr. VARGAS, Mr. HINOJOSA, and Mr. POLIQUIN.
H.R. 2646: Mr. GIBSON and Ms. PLASKETT.
H.R. 2669: Mr. LATTA.
H.R. 2686: Mr. NEAL.
H.R. 2689: Mr. VALADAO and Ms. HAHN.
H.R. 2698: Mrs. ROBY, Mr. LAMALFA, and Mr. CALVERT.
H.R. 2713: Ms. MATSUI, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BONAMICI, and Mrs. DINGELL.
H.R. 2721: Ms. TITUS and Mr. HONDA.
H.R. 2726: Mrs. DINGELL and Mr. NADLER.
H.R. 2730: Mr. WHITFIELD.
H.R. 2747: Mr. LOBIONDO.
H.R. 2769: Mr. BROOKS of Alabama.
H.R. 2773: Ms. TITUS.
H.R. 2793: Mr. CARTER of Georgia, Mrs. WALORSKI, and Mrs. HARTZLER.
H.R. 2800: Mr. ROE of Tennessee.
H.R. 2802: Mr. RUSSELL and Mr. ZELDIN.
H.R. 2805: Mr. BARR.
H.R. 2817: Mr. SIMPSON.
H.R. 2820: Mr. BARLETTA, Mr. BURGESS, and Ms. ESHOO.
H.R. 2838: Mr. REICHERT.
H.R. 2849: Ms. TITUS and Ms. BORDALLO.
H.R. 2856: Mr. LONG.
H.R. 2866: Mr. SCHIFF and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2884: Mr. MULVANEY.
H.R. 2896: Ms. JENKINS of Kansas, Mr. EMMER of Minnesota, Mr. BRIDENSTINE, Mr. KELLY of Pennsylvania, Mr. CRENSHAW, Mr. CRAMER, Mr. MCKINLEY, Mr. POSEY, Mr. POLIQUIN, Mr. GOSAR, Mr. POMPEO, Mr. RUSSELL, Mr. COLE, and Mr. HURT of Virginia.
H.R. 2903: Mr. KLINE, Mrs. BLACK, Mr. LANCE, and Mr. TIPTON.
H.R. 2905: Mr. STEWART, Mr. ROE of Tennessee, Mr. LAMALFA, Mrs. BLACKBURN, Mr. ZINKE, Mr. MCCLINTOCK, Mr. RICE of South Carolina, Mr. HULTGREN, and Mr. PITTENGER.
H.R. 2920: Ms. TITUS and Miss RICE of New York.
H.R. 2921: Mr. HENSARLING.
H.R. 2923: Mr. WITTMAN.
H.R. 2937: Mr. GROTHMAN.
H.R. 2972: Mr. VEASEY, Ms. TITUS, and Mr. LEVIN.
H.R. 2976: Ms. CLARK of Massachusetts.
H.R. 2987: Mrs. WAGNER and Mr. LUCAS.
H.R. 2991: Mr. CARNEY.
H.R. 2994: Ms. JUDY CHU of California and Mr. MCGOVERN.
H.R. 3002: Mr. CHABOT.
H.R. 3003: Mr. RUPPERSBERGER.
H.R. 3006: Mr. ALLEN.
H.R. 3009: Mr. CARTER of Texas, Mr. CHABOT, Mrs. HARTZLER, Mr. GRAVES of Louisiana, Mr. BOST, Mr. PALAZZO, Mr. FLORES, and Mr. CULBERSON.
H.R. 3016: Mr. COFFMAN.
H.R. 3037: Mr. KATKO.
H.R. 3040: Mr. SABLAN, Mr. RUSH, and Ms. GABBARD.
H.R. 3054: Mr. TONKO.
H.R. 3067: Mr. MCGOVERN.
H.R. 3105: Mr. CONYERS, Mrs. LAWRENCE, and Mr. KILDEE.
H.R. 3109: Mr. WESTMORELAND.
H.R. 3115: Mr. YOUNG of Iowa, Mr. CHABOT, Mr. WESTERMAN, Mr. LANCE, Mr. GOSAR, Mr. SALMON, Mr. JODY B. HICE of Georgia, Mr. DUNCAN of South Carolina, Mr. MULVANEY, Mr. LOUDERMILK, Mr. MEADOWS, Mr. BRAT, Mr. BROOKS of Alabama, Mr. YOHO, Mrs. NOEM, Mr. SMITH of Missouri, Mr. HARDY, Mr. HUNTER, Mr. SHUSTER, Mr. SANFORD, Mr.

MCHENRY, Mrs. LUMMIS, Mr. CHAFFETZ, and Mr. MICA.

H.R. 3118: Mrs. LUMMIS, Mr. GROTHMAN, Mr. RICE of South Carolina, and Mr. MILLER of Florida.

H.R. 3120: Mr. RIBBLE.

H.R. 3123: Mr. ALLEN.

H.R. 3132: Mr. HINOJOSA, Mr. MEEKS, Mr. PIERLUISI, Ms. BORDALLO, Mr. KILMER, Mr. GUTIÉRREZ, Mr. WELCH, Mr. PERLMUTTER, Mr. HASTINGS, Ms. SLAUGHTER, Mr. FARR, Mr. POCAN, Mr. QUIGLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CÁRDENAS, and Ms. FRANKEL of Florida.

H.R. 3134: Mr. WESTERMAN, Mr. COLLINS of New York, Mr. BARR, Mr. LOUDERMILK, Mr. SHUSTER, Mr. GROTHMAN, Mr. GOSAR, Mr. BILIRAKIS, Mr. CHAFFETZ, Mr. BARTON, Mr. MARCHANT, Mr. SALMON, Mr. POMPEO, Mrs. MILLER of Michigan, Mr. GRIFFITH, Mr PEARCE, Mr. POSEY, Mr. NEUGEBAUER, Mr. PITTENGER, Mr. POE of Texas, Mr. YOUNG of Indiana, Mr. COLE, Mr. GRAVES of Georgia, Mr. ROONEY of Florida, Mr. GOWDY, Mr. WALBERG, Mr. NEWHOUSE, Mr. FORTENBERRY, Mr. CULBERSON, Mr. WALKER, Mr. STUTZMAN, Mr. SIMPSON, Mr. TIBERI, Mr. WEBER of Texas, Mr. TOM PRICE of Georgia, Mr. RICE of South Carolina, Mr. JOYCE, Mr. BARLETTA, Mr. GRAVES of Louisiana, Mr. MULLIN, Mr. DUNCAN of Tennessee, Mr. STIVERS, Mr. BYRNE, and Mr. SMITH of Texas.

H.R. 3137: Mrs. TORRES, Mr. POLIS, and Mr. HECK of Washington.

H.R. 3139: Mr. GROTHMAN, Mr. WOODALL, and Mr. POMPEO.

H.R. 3141: Mr. BEYER.

H.J. Res. 9: Mr. DUNCAN of Tennessee.

H.J. Res. 47: Mr. KNIGHT.

H.J. Res. 59: Mr. HULTGREN, Mr. PITTENGER, Mr. BABIN, Mr. CONAWAY, Mr. WOODALL, Mrs. BLACKBURN, Mr. STUTZMAN, Mr. AUSTIN SCOTT of Georgia, Mr. WEBER of Texas, Mr. MCCLINTOCK, Mr. RICE of South Carolina, Mr. ROE of Tennessee, Mr. LAMALFA, Mr. FRANKS of Arizona, Mr. FARENTHOLD, and Mr. BARR.

H. Con. Res. 17: Ms. ADAMS.

H. Con. Res. 33: Mr. TIPTON.

H. Res. 12: Ms. CLARKE of New York.

H. Res. 49: Mr. KLINE.

H. Res. 82: Mr. COURTNEY, Mr. CICILLINE, and Ms. ESTY.

H. Res. 111: Mr. KLINE and Mrs. HARTZLER.

H. Res. 130: Mr. KLINE.

H. Res. 194: Mrs. WALORSKI.

H. Res. 210: Mr. DESJARLAIS.

H. Res. 220: Mr. DUNCAN of South Carolina, Mr. CURBELO of Florida, Mr. MARINO, and Mr. GIBSON.

H. Res. 286: Ms. CLARKE of New York and Mr. BARLETTA.

H. Res. 289: Ms. CLARKE of New York.

H. Res. 294: Mr. YOUNG of Iowa, Ms. TITUS, and Mr. NOLAN.

H. Res. 343: Mr. KLINE, Mr. JOHNSON of Ohio, Mr. JONES, Mrs. WAGNER, Mr. ROUZER, Mr. TIBERI, Mr. VAN HOLLEN, Mr. HECK of Nevada, Mr. LIPINSKI, Mr. CONYERS, Mrs. BEATTY, Mr. KNIGHT, Mr. POCAN, Mr. WELCH, Mr. BRAT, Mr. SENSENBRENNER, Mr. ROKITA, and Mr. BRIDENSTINE.

H. Res. 354: Mr. WEBER of Texas, Mr. COHEN, Mr. VARGAS, Mr. KILMER, Mr. LAMBORN, Mr. LATTA, Mr. AL GREEN of Texas, and Mr. ROHRABACHER.

H. Res. 359: Mr. MURPHY of Pennsylvania and Mr. ALLEN.

H. Res. 365: Mr. MCGOVERN.

H. Res. 367: Mr. GROTHMAN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 3009 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2646: Mr. DESANTIS, Mrs. BEATTY, and Ms. LOFGREN.

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Mighty God, hear our prayers, search our hearts, and know our thoughts. Teach us to not transgress with our lips.

Keep the steps of our lawmakers on Your paths, inspiring them to not slip from the way of integrity. Hear and answer their prayers, saving them with Your right hand. Lord, preserve them as the apple of your eye, ordering their steps and bringing them to Your desired destination.

We love You, Lord, for You are our strength.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, I regret that yesterday's procedural vote on the multiyear bipartisan highway bill was not successful. It wasn't a vote to approve the bill; it was just a vote to agree to talk about it. We held that vote when we did because we wanted to give the House more space to work on it. But some Members said they wanted more time to review it before agreeing to talk about it, so we will take that procedural vote again later today. Because we are still determined to get this to the House in a timely manner, we expect to work through Saturday to ensure that we do.

Here are the key components of the legislation:

It is a bipartisan, long-term, multiyear measure that will fund our roads, highways, and bridges for longer than any transportation bill considered by Congress in a decade—and this highway proposal will do so without raising taxes or adding to the deficit.

It will give State and local governments the kind of stability and certainty they need to better plan road and infrastructure projects into the future, while also providing them with more flexibility in pursuing those projects.

It will instill real transparency and accountability into the funding process, so Americans can actually see where infrastructure tax dollars are going and how they are being spent.

It will help break the habit of Washington always looking to hike up the gas tax to fund its spending instead of looking for spending cuts and efficiencies first. Here is what we know about the gas tax: It hits hardest those who struggle just to get by, and too many Americans have been struggling the past few years. It is not fair to hit those Americans again with yet another unfair policy from Washington.

Some people might be a little shocked to see the Senator from California and me working across the aisle to put this bill together. Some might have been shocked to see President Obama and Republicans working together to pass important trade legislation for American workers or a Republican Senator from Tennessee and a Democratic Senator from Washington helping the Senate come to agreement on replacing No Child Left Behind. But my view is that if you can agree on a policy that is good for the American people, you should be willing to look past the ''D'' or ''R'' next to somebody's name in order to get it enacted.

Senators from both parties know that a long-term highway bill, which we have all been talking about for literally years, is in the best interest of our country, so we are working together to get a good one passed. Thanks to the dedication of both Republican and Democratic Senators and their staffs, I am hopeful we will.

NUCLEAR AGREEMENT WITH IRAN

Mr. MCCONNELL. Mr. President, I have said that the Senate intends to thoroughly review the White House's deal with Iran and then take a vote on it under the terms of the Iran Nuclear Agreement Review Act. This is a review process which allows us to determine whether the administration complied with the law and delivered the complete agreement, and it is a review process which continues today.

We will have an all-Senators briefing later this afternoon to get a more detailed analysis of the agreement. It will be a time for Senators to ask questions and get a stronger sense of whether this deal can be verified. I know many are eager to do so. Senators from both sides of the aisle have questions for the Obama administration. Then, tomorrow, Secretaries Kerry, Lew, and Moniz will come to the Senate to testify before the Foreign Relations Committee. I know they are expecting a lot of serious, thoughtful questions, including from Members of their own party—and they should because the onus is on any administration to explain why a deal such as this is a good one for our country.

It is always the administration, not Congress, that carries the burden of proof in a debate of this nature, and it seems the administration today has a long way to go with Democrats and Republicans alike. For instance, many

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Members in both parties—including Democratic leadership in Congress—warned the administration not to have the U.N. vote on this agreement before the American people and the Congress they elected had a chance to weigh in first. There was no reason to seek U.N. approval first, but the administration ignored Democrats, ignored Republicans, and did so anyway. Why? Why did they do that? They need to explain.

Is this deal really about keeping America, the region, and the world safer, or is it simply a compendium of whatever Iran will allow—an agreement struck to take a difficult strategic threat off the table but one that might actually empower the Iranian regime and make war more likely? They need to explain this, too, because Iranian leaders, including the Foreign Minister, have hailed this deal as a victory over America. The Iranian Foreign Minister says this is a great victory over America. The Supreme Leader even boasted that ''our policies toward the arrogant US government will not change.'' That is the Supreme Leader of Iran—''Our policies toward the arrogant US government will not change''—and he said that to chants of ''Death to America'' from the crowd below. Even Secretary Kerry was taken aback by the response from Iran.

We know this isn't about playing to some electorate in Iran because the Islamic Republic isn't truly a republic, and the unelected Supreme Leader has no electorate to report to. So we need to move beyond the rhetoric—including that the choice here is between a bad deal and war, which no serious person truly believes—and get to real answers instead. Our committees will be holding hearings that will begin to shine a light on this agreement, and they will aim toward getting the American people more of the answers they deserve. Tomorrow's hearing will be important, but it is not the end of the process, it is just the beginning. We will have more hearings. We will interview more witnesses. We will continue endeavoring to answer the question of whether this deal will enhance or harm our national security. And then we will take a vote on it on behalf of the American people.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THE HIGHWAY BILL

Mr. REID. Mr. President, I am having a caucus today. We have the bill. We worked through the night. I wasn't up all night, but my staff was. I did spend quite a bit of time on this bill. I think we have a basic understanding of it. I am having a caucus today, and we will have my ranking members from Finance, Commerce, Energy, and Banking report on how they look at this bill.

It is my hope that we can work our way through all the issues dealing with this legislation. I think the main reason we are where we are now is we have focused on the importance of a long-term highway bill. So I hope we can work our way through these issues. There are some significant issues, I have already been alerted by my staff, with the transit title. Some of the payfors are somewhat questionable. But before we start drawing lines in the sand here, let's see if we can figure out a way to get this done. So we will know that sometime early this afternoon.

JUDICIAL NOMINATIONS

Mr. REID. Mr. President, Alexander Hamilton said, ''The first duty of society is justice.'' If that is true—and I certainly believe it is—then the Republican Senate is failing miserably on its first duty. By neglecting to live up to their constitutional duty to provide ''advice and consent,'' it is clear the Republican leader and his party are denying justice for the American people.

Federal courts depend on us—the United States Senate—to do our job so justice can be dispensed in courtrooms across the country. But Republicans clearly have no interest in seeing these courtrooms and judicial chambers staffed adequately. So far this Congress, Republicans have confirmed only five judges. By this same point in the last Congress of George W. Bush's Presidency, under my leadership, the Senate had confirmed 25 judges. Five to one seems unfair. There are real repercussions when Republicans refuse to act. We didn't have judicial vacancies then. We did it because it was the right thing to do.

If there aren't enough judges to hear the cases that are piling up, a vacant judgeship is declared an emergency. At the beginning of this year, there were only 12 judicial emergencies that deserved priority attention. Yet, in the mere 7 months of this Republican-controlled Senate, the number has doubled and is on its way to tripling very soon. As of today there are 28 judicial emergencies, including 4 judges currently pending on the floor. But that is really an unfair view because having them pending on the floor takes into consideration that the Judiciary Committee is doing their job—holding hearings on these nominations—and they are not. This is something which was learned years ago when the Judiciary Committee was operated by the present chair of the Finance Committee. How he got around having these judicial nominations stacked up on the calendar was he wouldn't do the hearings. That is what has now been taking place in the Judiciary Committee.

There are real-life consequences to this obstruction. Each judge Republicans block, each nomination they slow-walk results in delay of justice. As the maxim goes, justice delayed is justice denied. And that certainly is true.

A Wall Street Journal article from April quoted U.S. district judge Lawrence O'Neill from the Eastern District of California:

> Over the years I've received several letters from people indicating, ''Even if I win this case now, my business has failed because of the delay. How is this justice?'' And the simple answer, which I cannot give them, is this: ''It is not justice. We know it.''

Judge O'Neill is 1 of 25 judges I worked to confirm in the first 6 months of the 110th Congress with President Bush. He is absolutely right. What is happening now with the judicial emergencies across the country is not justice. This is Republican politics as usual.

We saw it on display last week when the junior Senator from Delaware came to the floor and asked consent to confirm 5 consensus judges to the U.S. Court of Federal Claims, a really important block of judges doing important work for this country. It was not an outlandish request. After all, the Judiciary Committee favorably reported these five nominations twice—last year under Democrats and again this year under Republicans—but the Presiding Officer, a Republican, objected to that request. His reasoning? The Court of Federal Claims doesn't need these judges. Perhaps the junior Senator from Arkansas should ask the chief judge of the Court of Federal Claims if his court does not need those new judges. The chief judge has pleaded for the immediate filling of these five vacancies since they are creating a caseload problem for the court. But the freshman Senator from Arkansas had his mind made up and blocked every attempt to confirm even a single judge to this important court.

One of his home State newspapers, the Arkansas Times, headlined its report: ''Tom Cotton continues his obstructionist ways.''

Yesterday the Washington press took notice that the blocking of these judges coincidentally lined up with the interests of a powerful conservative law firm that is currently representing clients before this court.

A Roll Call headline says: ''Cotton Blocks Judges on Court Familiar to His Former Law Firm.'' I don't mean to necessarily point fingers at anyone. After all, the junior Senator from Arkansas is only following, I assume, the Republican leader's example. There are currently five district court judges awaiting votes on the Senate floor. All five were reported out of the Judiciary Committee unanimously, proving they are consensus, noncontroversial candidates. So why hasn't the Republican leader scheduled their confirmation votes? Three of the district nominations are classified as judicial emergencies—including one judge in the Eastern District of California, and that is the court that Judge O'Neill serves. The Republican leader should bring them to the floor.

Again, the record is clear. Democrats confirmed all of these judges for President Bush, and the Republicans are basically confirming no one for President

Obama. Any objective observer would tell you that it is not fair. Not only is 5 to 1 not fair, but it is also the fact that hearings are simply not being held.

Maybe it is time for a new strategy. Maybe it is time for the Republican leader to live up to his constitutional duty, do his job, and start moving all of these backlogged nominations and directing the Judiciary Committee to hold hearings. The American people need these judges, and they need them now, working to ensure that everyone gets the justice he or she deserves. To allow these qualified nominees to linger longer is simply unjust and unfair. The American people expect more from the Republican leadership and Congress and deserve better. We are going to do everything within our power to bring to the American people's attention that the Republican leadership is not doing a very good job on this and other matters before the Senate.

Mr. President, what is the schedule of the Senate today?

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first hour and the Democrats controlling the second hour.

The majority whip.

NUCLEAR AGREEMENT WITH IRAN

Mr. CORNYN. Mr. President, ahead of tomorrow's hearing in the Foreign Relations Committee with Secretaries Kerry, Moniz, and Lew on the President's announced nuclear deal with Iran, I wanted to take a few minutes to address just how far the administration has moved its own goalposts in terms of this purported deal.

Over the last few years the administration has made extensive public statements about what would and would not be acceptable in a final deal with Iran, and today it is clear that the final deal falls short not necessarily of other people's expectations but of their own standards and their own stated expectations.

As Senators consider this proposed deal and whether it should be approved or disapproved, I think it is important to have a good understanding of where the President and his team did not meet their own expectations.

From the early stages of the negotiation, the Obama administration made clear that a key part of any ''good deal'' would be dismantling Iran's nuclear infrastructure.

Before the House Foreign Affairs Committee, Secretary Kerry said back in December of 2013 that ''the whole point'' of the sanctions regime was to ''help Iran dismantle its nuclear program.'' However, President Obama, in previewing the deal in April of this year, essentially admitted that it would fall short of this standard by saying that ''Iran is not going to simply dismantle its program because we demand it to do so.'' But weren't our negotiators actually demanding that Iran dismantle its nuclear program? That had been our stated policy as the U.S. Government. Wasn't that—in Secretary Kerry's own words—''the whole point''?

As Prime Minister Netanyahu of Israel pointed out, instead of dismantling the nuclear infrastructure of Iran, the No. 1 state sponsor of international terrorism and threat to the safety and stability of the Middle East, this deal legitimatizes and paves the way for their nuclear program and its enrichment capability. In fact, by the time this deal expires, the rogue regime in Tehran will have an industrial-sized nuclear program.

For the duration of the agreement, Iran will be able to conduct research and development on several types of advanced centrifuges. In year 8, Iran can resume testing its most advanced centrifuges, and in year 9 it can start manufacturing more of them. That is hardly dismantlement. That is the opposite of dismantlement.

I also want to address another important point that has been made concerning inspections because, as we know, Iran will cheat. So inspections take on an especially important role in enforcing any agreement that is made. In particular, I want to address this issue of anytime, anywhere inspections.

In April, President Obama announced that a good deal had been struck between world powers and Iran and noted that the deal would ''prevent it from obtaining a nuclear weapon.'' This is, of course, now known as the ''framework deal''—a precursor to what was announced last week.

A few weeks after this announcement, Secretary Ernest Moniz, the Energy Secretary, who was at the table with Secretary Kerry in negotiating this deal, said: ''We expect to have anywhere, anytime access.'' He said that on April 20, 2015. This is a particularly clear statement from someone intimately familiar with the negotiation process, and, of course, it was well received because this is, at a minimum, what needs to be done in order to keep Iran from cheating. But by the weekend, the administration was singing a different tune.

This is what Secretary Kerry said when he began to backtrack from what was said by Secretary Moniz on April 20. He said that ''anywhere, anytime'' inspections was ''a term that honestly I never heard in the four years that we were negotiating. It was not on the table.'' I don't know whether Secretary Moniz and Secretary Kerry actually talked to each other or not. They spent an awful lot of time together in Vienna and supposedly would be on the same page. But for Secretary Kerry to say this really incredible statement, that he never heard of this idea, and that this was not on the table is simply incredible.

So, of course, my question is: Were anywhere, anytime inspections ever on the table? And if not, why did the administration tell us they were—including the Secretary of Energy. And if they were not on the table, why is this deal actually a good deal? Why can we have any sense of conviction or belief that Iran won't cheat, especially given this Rube Goldberg sort of contraption involving notice and this bureaucratic process that will basically lead up to a 24-day delay between when inspections are requested and before inspections can actually be done? We know from our experience with Saddam Hussein in Iraq that it is easy to move things around and avoid the inspectors of the IAEA.

This deal today provides that inspectors will have ''managed access''—whatever that means—to suspect sites, but, as I said, it allows up to 24 days for Iran to stall inspectors before it actually grants them access, if they ever do. This is another way of saying that Iran will be able to cheat with near impunity.

The administration has also led us astray on a third item, and that is Iran's ballistic missile capability. This is the vehicle by which Iran could launch a nuclear weapon to hit people in the region or even further.

In February of last year, the chief U.S. negotiator, Wendy Sherman, testified before the Senate Foreign Relations Committee that while Iran had ''not shut down all of their production of any ballistic missile,'' the issue was ''indeed, going to be part of something that has to be addressed as part of the comprehensive agreement.''

Ballistic missiles, as we know, can be used to deliver a nuclear weapon, and now under the current deal, the arms embargo in Iran will be completely lifted in just 8 years' time, including on ballistic missiles. I don't think the administration simply changed their minds and decided that this wasn't an important issue. I think they simply caved on yet another important item to our national security and that of our allies.

Earlier this month, for example, the Chairman of the Joint Chiefs of Staff, Martin Dempsey, testified that ''under no circumstances should [the United States] relieve pressure on Iran relative to ballistic missile capabilities and arms trafficking.'' So with this purported deal, the administration has apparently caved once again on something that the Chairman of the Joint Chiefs of Staff, who is the No. 1 military adviser to the President of the United States, said should be off the

table. Under this negotiation, apparently, it is on the table and part of the deal that we will have an opportunity to vote on in September.

I have one more example. The President has repeatedly said from the beginning that no deal is better than a bad deal. I agree with that. Yet right now he and the rest of the administration are telling Members of Congress and the American people that there is no other option on the table, and it is either this deal or war.

There is a third choice. There are tougher sanctions that will bring Iran to the table for a better deal and a good deal. It is simply unacceptable for the President to be misrepresenting what the options are to Congress and the American people by saying ''it is either this deal or war.'' As bad as this deal is, obviously no one wants war.

We do know that Iran is an existential threat to our No. 1 ally in the Middle East, the nation of Israel. Iran has been engaged in proxy wars against the United States and its allies since at least the early 1980s—since the early days of the current regime.

Well, the President is supposed to be Commander in Chief of the Armed Forces and the No. 1 person in the U.S. Government when it comes to national security. He took office with the promise to restore America's relationships with our allies around the world, and clearly his promise has not come true. Instead, what the President has delivered during his time in office has been that our allies increasingly do not trust us and our adversaries no longer fear us, as evidenced by the coercion and intimidation engaged in by Mr. Putin in Eastern Europe.

I ask unanimous consent for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Even President Jimmy Carter in a recent interview admitted that ''the United States' influence and prestige and respect in the world is probably lower now than it was 6 or 7 years ago.''

This isn't some Republican criticizing a Democratic President; this is Jimmy Carter, former President of the United States and a member of the Democratic Party, who is saying the U.S. influence, prestige, and respect in the world is probably lower now than it was 6 or 7 years ago.

This is a difficult statement to take in, and President Carter has been wrong about an awful lot of national security issues, but I am afraid he is right on that one.

So now Congress has an important role to play, and I can't think of a single more important national security issue we will have an opportunity to act on than Iran's aspirations for a nuclear weapon. This is a true gamechanger in terms of stability and peace in the Middle East and our own safety and security. I know that I and the rest of our colleagues will take full advantage of the opportunity of having 60 days to review this agreement, to put it under a microscope, and we will have no trouble voting it down if we conclude, as many of us are now starting to do, that it jeopardizes America's security and paves the way for a nuclear-armed Iran.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask to be recognized for up to 5 minutes.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, first of all, I wish to commend the majority whip on his outstanding speech addressing the Iran nuclear deal.

I rise in a number of capacities. One is as a member of the Senate Foreign Relations Committee, which will undertake a review of this act, and ultimately a vote, as well as the entire Senate. I rise as one who voted for the New START treaty and went through those negotiations in this administration. I rise as a grandfather of nine children with a commitment that the rest of my life is about seeing to it that they live in a world that is as safe, as free, and as productive as the United States is for us today.

I will go through all the due diligence provided for in the Iran Nuclear Agreement Review Act. I wish to at this point commend Senator CORKER and Senator CARDIN on the outstanding work they did to ensure the American people would have oversight and the Congress would have a vote on this deal, but I want to be sure we have a vote on this deal that is meaningful and not superficial.

The President decided, for reasons that are his own, to not call this a treaty and to originally try to avoid any congressional input at all. I don't know what those reasons were, but they were his and his alone. Yet this is the same President who agreed to a treaty with Russia to limit nuclear weapons and bring a vote to the Senate floor. An agreement, I might add, which has inspection provisions which are robust, has Russian inspectors in America, American inspectors in Russia, and has the type of trust and belief that we can have in any nuclear deal.

I am worried that the deal we are talking about making with the Iranians has neither. I am extremely concerned that the President will say, in answer to people who condemn the treaty: Well, if you don't like it, what would you do differently or it is this treaty or this agreement or war. We need to live up to our responsibility. It is not a choice of this agreement or war; it is a choice of doing this agreement or doing the right thing for the American people.

There are three concerns I want to mention. The first is that as a businessperson, I learned a long time ago that the best deals I ever made were the ones I walked away from before I closed them. The worst deals I ever made were the ones when my arm was behind my back and somebody said: Oh just get it out of the way and do it. Every one of those were bad. Every one of the ones I walked away from and then was asked back to the table were good. They were good for a very simple reason. If you can't play hard to get in a negotiation, you are going to be easy to get.

Teddy Roosevelt once said: ''Walk softly and carry a big stick,'' and he was right. This administration walked loudly and carried no stick at all. In fact, at the last of the negotiations, all of a sudden there appeared new relief of the U.N. Arms Embargo by the Iranian regime at the end of 5 years. This was a nuclear weapons treaty; this was not some agreement about conventional weapons. We don't want to lift the sanctions against the Iranians for proliferating conventional weapons in the Middle East, but yet this agreement contained that. I think that was a concession we made to them to keep them at the table.

We reversed roles. The largest superpower in the world lost its clout and the Ayatollah Ali Khamenei and the Iranian Government gained theirs just because they were willing to walk away from the table.

And then there is the trigger of 8 to 8½ years where, as that time passes, the Iranians will begin to resume fissile nuclear material development. They will do some of their planning for strategic missiles, some of the restrictions of the agreement that will take place in the beginning will go away. Working toward an end where, at the end of 2 years, any agreement that would limit nuclear weapons breakout by the Iranian regime.

This started out as a deal to keep the Iranians from getting a nuclear weapon, stop nuclear proliferation in the Middle East, and not allow the Middle East to become a nuclear arms camp. Unfortunately, I am afraid this will not happen if this agreement is adopted in the form I understand it to be.

So when the President says: What would you do, would you fight a war? I would say: No, I would go back to the table. I would say: The sanctions got you to the table to begin with; let's keep the sanctions to keep you at the table and let's review whether we should have let the conventional arms embargo go away. Let's see if we should allow the reworking of fissionable nuclear material at the end of year 6. Let's see if at the year end, the Fordow facility embedded in a mountain should be reactivated to produce nuclear-grade plutonium.

All of those triggers along the way in the agreement are just steps toward allowing Iran to become what we said we didn't want Iran to be. We didn't want Iran to be a nuclear arms power in the Middle East to go through nuclear proliferation. I am afraid this is just a staged platform from which that is exactly what will happen.

I will listen to every word by the administration. I will go to every briefing. I will do my due diligence as a

Senator of the United States and as a representative of the people of Georgia.

When I cast that vote, it is going to be in the best interest of my children and grandchildren and yours. It is going to be making the best deal we can make for the American people, doing everything we can to limit the proliferation of nuclear weapons and doing everything we can to get those who say ''death to America'' before every speech understand that America is the greatest democracy on the face of this Earth.

We will walk softly, but we will carry a big stick, and we will insist on negotiations that are good not just for the other side but for the American people as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, on Monday, the United Nations Security Council voted to accept the agreement that was negotiated over Iran's nuclear program.

I think it is very telling that President Obama decided to take his plan to the United Nations before bringing it to the Congress. I think the President is hoping to force Congress—to bully Congress—to go along with his plan without actually giving it serious debate. Well, we are going to have a serious debate. I believe President Obama and his negotiators failed to get the strong deal they promised, and it remains to be seen whether this deal is good enough.

United Nations Ambassador Samantha Power called me after the deal had been agreed to by the President and by Iran and she told me the greatest weakness of the deal was its complexity. So I have to ask: Why is the President in such a rush? The American people have every right in the world to have their voices heard on this important issue.

I was at home in Wyoming over the weekend and I got an earful about why this deal is so bad and about the risk it poses to our own U.S. national security. Congress also has the right and the responsibility to provide oversight on this plan, and there has been bipartisan skepticism and concern on this floor about this specific deal.

So we need to take a very close look at the agreement over the next 2 months. We are going to listen to our constituents, and we will have hearings to make sure all the facts are clear, starting tomorrow in the Foreign Relations Committee.

While the Senate does its part in evaluating the deal, I think we have to keep in mind two key questions. First, do we believe this is a good deal that will protect the American people, protect our allies far into the future and not just for a few years and, second, what evidence is there that the Iranian regime plans to change its illegitimate and dangerous behavior in any way?

This agreement accepts Iran as a nuclear threshold state on the premise that we can build a better relationship with the country's leaders. How realistic is that? Iran is still holding American hostages. Iran continues to support Bashar Assad in Syria. Iran continues to support Palestinian terrorist groups. Even President Obama admits this behavior is likely to continue under the deal he negotiated. Can we afford to allow this Iranian regime to have the nuclear program it will get at the end of this deal? President Obama wants to put off the answer to this question until after he has left office. Congress needs the answer now.

People on both sides of the aisle have raised many appropriate concerns about this deal. One issue is that before the agreement was announced, Iran had more than 19,000 centrifuges to enrich uranium. After the deal is fully implemented, Iran will still have more than 19,000 centrifuges. Not a single one will be dismantled under this agreement. Some of them may go into storage, some of them may be turned off, but eventually that could be brought back again and turned back on. More than 5,000 of them will continue to spin and to enrich uranium.

Iran can continue to conduct research and development on more advanced centrifuges. It says right in the deal that ''Iran will continue testing'' advanced centrifuges—and it can actually manufacture them for specific purposes. Once the restrictions end, Iran can produce as many of these advanced centrifuges as it wants. They will have already done the work and they will know how to build them and how to use them. President Obama had the leverage—he had the leverage—to push for more on this point. Why didn't he use it?

This bill doesn't dismantle a single centrifuge; it does dismantle the sanctions against Iran. That is another very real concern a lot of people have.

While it will not happen overnight, Iran is likely going to gain access to what will eventually amount to more than $100 billion. This massive injection of resources is ultimately a direct deposit into Iran's terrorism accounts. Why was there nothing in this agreement to stop Iran from using this money in ways that could harm America and our allies?

And there is the extremely important issue of whether this agreement allows us to inspect Iran's nuclear facilities anywhere and anytime. President Obama said that is how we would verify that Iran was living up to its promises. It turns out that the reality is very different from what the White House promised. Now the President says that inspectors will have access ''where necessary, when necessary.'' That is a big difference. Who gets to decide what is necessary?

Under the actual agreement, the International Atomic Energy Agency can request—can request—access to a location in Iran if it is worried. That is not anywhere, any time; that is anywhere, anytime Iran chooses.

Iran can refuse to give access to the site, and it gets 2 weeks to negotiate what inspectors can do. If the two sides can't work it out within 14 days, then the issue gets turned over to a commission of eight countries that are part of the agreement. Then the Commissioners have another 17 days to resolve the issue by a majority vote. After that, Iran gets another 3 days to comply. It is as much as 24 days in total. So we went from anywhere, anytime, 24/7, to 24 days.

A former Deputy Administrator at the National Nuclear Security Administration recently wrote an op-ed in the Wall Street Journal about this very subject. He said 24 days is ''ample time for Iran to hide or destroy evidence.'' Twenty-four days, which is what the President agreed to, is ample time for Iran to hide or destroy evidence.

President Obama says we will be able to tell if Iran is violating the agreement. That is an important difference of opinion, and Congress is going to have to resolve that over the next 2 months.

It is very clear President Obama and Secretary of State Kerry were desperate to get a deal with Iran, even if it was a very bad deal. Both the President and the Secretary of State are lameducks, and they are looking to build their legacy. Iran knew that, and Iran took advantage of that fact. At the last minute, to make sure they could actually get a deal signed, the President and the Secretary of State agreed to let Russia sell Iran ballistic missile technology. This technology can be used to attack our allies and even to threaten the United States. Why was this even a part of this agreement over Iran's nuclear program? The week before the deal was announced, the Chairman of the Joint Chiefs of Staff told the Senate Armed Services Committee: ''Under no circumstances should we relieve pressure on Iran relative to ballistic missile capabilities and arms trafficking.'' So why did it end up as part of the deal? Why did the President, yet again, ignore the advice of his military commanders on this vital national security issue?

At the end of the day, this deal does not take away Iran's pathway to a nuclear weapon. It merely gets Iran to promise that for the next few years it will walk down the path very slowly. President Obama may think this deal is good enough to help his legacy. There are still a lot of questions about whether it is good enough to keep the American people safe and the rest of the world as well.

Our goal all along should have been an agreement that was accountable, enforceable, and verifiable. At this point, I have serious doubts about whether this deal is good enough.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, back home this weekend in Indiana I took

the time very carefully to read through all 159 pages of the agreement made with Iran, as well as a lot of supporting material written by the foreign policy experts who had an opportunity also to look at this. I read it carefully because words mean a lot. As concerned as I was when we started this process, I became much more concerned after reading through the fine print that is now called the agreement with Iran.

Yesterday we returned to Washington to start the session this week. I had the opportunity as a member of the Select Intelligence Committee to look over the classified annexes of this. There is still one outstanding, which we will be looking at as soon as we receive it. The more I read, the more concerned I am that we have struck not a good deal, not a passable deal that we have to accept, but a bad deal—a bad deal that is clearly worse than no deal.

Four Presidents—three previous Presidents and this current President—have declared over the years of their service that a nuclear-armed Iran is unacceptable. Each person, each President used that very word ''unacceptable.'' But this deal intends simply to slow down Iran's march to nuclear weapons capability. Even the White House has conceded now that it will not permanently stop Iran's nuclear ambitions. This, in and of itself, should raise major questions and concerns about this agreement.

But perhaps more concerning is what the negotiations conceded in order to reach an agreement with a regime—a regime that calls America its enemy, brazenly violates U.N. resolutions, sponsors terrorism, threatens Israel's existence, is led by individuals who proclaim ''death to America,'' and is responsible for more than 1,000 military deaths since September 11, 2001. This is the regime we are dealing with.

Six of the major powers in the world, led by the United States—or at least we thought they would be led by the United States—having all the leverage of their status in world affairs, were negotiating with a country that violates all that I have just listed, that cannot be trusted, that simply is in a weak position given the sanctions, thankfully, that the Congress has imposed and other Presidents have imposed and is put in a situation where it should have the weak hand. It turns out they had the strong hand against the weakness and the lack of will and resolve of the six nations—France, United Kingdom, Germany, the United States, China, and Russia. That group was on one side of the table with the leverage that group would have against Iran, which has not gained the trust of anyone except its loyal followers—a nation that is staggering because of the sanctions that have been imposed—and which ends up being the strong hand working against the weak. The will and resolve to stand tough to achieve an agreement that was in the benefit of not just the United States but the world for a more secure Middle East and prevention of nuclear weapon possession by Iran has been negotiated away.

Clearly, in the coming weeks we will be talking about various aspects of this agreement. The time is limited today, so I will just go into a couple of issues.

The period covered by the deal is way too short. There was the promise that Iran would not have the capability to develop nuclear weapons, and it is specifically now on a pathway to acquiring them.

President Obama has admitted that in these future circumstances, Iran's breakout time to nuclear weapons will be essentially zero. That is what he said some time ago. But, of course, now the President, the Secretary of State, and the White House are making public statements saying: Well, that is really not what we meant. And they said a number of things to reassure the American people: Trust us; everything is going to be OK.

What particularly grabbed my attention was the inspection regime. Clearly, on any kind of agreement of this type, there has to be as tight a regime of inspections as possible. We know Iran has cheated in the past. We know they are going to try to cheat in the future. They are going to try to interpret every nuance and every word in this agreement as something different than what we will describe. Therefore, verification of their ability to live by the word of the agreement, as bad as it is, has to be verified completely. When you look at the sections necessary to accomplish that, it raises real concerns. I will spend more time on this floor later, given the constraints here, to talk about this inspections regime.

But let me address an issue that has just come to light. I was sitting and plowing through this agreement. When I came to section 78, it started listing the timeframe for how we would proceed if we found that there was information to suspect Iran was cheating on the agreement. You have heard 24 days is the maximum, which, by the way, is longer than just about any agreement we have entered into in an arms agreement. For many of these, it has been 9 hours. Everybody knows that we have given up anywhere, anyplace. We now have to have Iran's approval before we move forward with a convoluted, byzantine process in terms of getting to a point where a resolution is made. We now know, reading through sections 78 to 82, I believe, that it doesn't add up to 24 days. It adds up to 54 days. We are talking nearly 2 months or more.

I was interested to open up the Wall Street Journal this morning: ''Iran Inspections in 24 Days? Not Even Close.''

As I was sitting there, it was being pounded into our heads by the Secretary of State saying: 24 days, that is all it is—24 days. We are on top of this. We can get it resolved. Don't worry; they can't move their stuff somewhere else or cover their tracks or remove evidence of what we suspect is a violation of the agreement. Over and over and over the Secretary of State and the President of the United States said 24 days. First of all, 24 days is not a good deal, as I just mentioned. It ought to be 24 hours or less—anytime, anywhere. What did we do to anytime, anywhere? We stretched it out to 54 days. Despite what the administration has said about this, I cannot believe that the clear reading—read sections 78 to 82, I believe it is, and add it up. It is 54 days of time if all time is used to come to an agreement.

What can you do in 54 days when you have been accused of cheating? You remove the evidence. That is exactly what they will do. This is a huge revelation here that is now in print. The administration keeps insisting that this is not the case: Don't worry, folks; we have it covered on inspections. That simply is false.

So let's say we find out they are cheating. When our negotiators abandoned their position on gradual sanctions relief, they opted instead for this so-called snapback provision that would punish Iran for noncompliance, for cheating. Read the agreement. There is a convoluted, byzantine scheme for such a return to sanctions that would be exceedingly time consuming and is not politically realistic. It is an illusion—and more on this later.

The arms embargo is lifted, and on and on it goes.

I listed just a couple of very deeply concerning issues here that need to be discussed. Unfortunately, we have been put in a box by this administration. They ran straight to the United Nations to get approval for this without America's elected representatives and the American people having an opportunity to have the deal presented to them and for them to make the decision. So five of the six nations involved here—even if the United States comes to the point where we defeat this effort, if it is possible to do so—now have the full green light to go forward. Germany rushed over with contracts in hand with their Commerce Minister and heads of major corporations are signing off deals like you wouldn't believe. Those aren't going to be snapped back.

We now have an opportunity to review this pending deal, and I would urge every Member of the Senate to take the time to sit down and read this agreement through carefully. Look at what the experts—the foreign policy experts—have said about it. Look at where the flaws are, and let's sit down and discuss it. Let's look at those top secret classified annexes—every Member here has the opportunity to do that if they so choose—and bring forward to the American people—that which we are allowed to bring forward that is not classified—the flaws of what has turned out to be an agreement that simply is not in the interest of the future of the American people.

My time has expired. Let me just wrap up by saying that the President

has defended this deal by challenging critics who put forward alternatives. How about this? How about exercising American leadership and making it clear that crippling sanctions will be maintained and strengthened if Iran nuclear activity continues? Congress should reject this bad deal. We then can enact more vigorous sanctions to persuade the Iranian leaders to reconsider their position or persuade the Iranian people to reconsider their leaders.

Mr. President, I apologize for going over my time. I yield the floor to my colleague from North Carolina, and I see my colleague from Maine is waiting to speak.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I have come to talk about what I think we have reached here—a tipping point in terms of President Obama's legacy.

Recently, Jimmy Carter emphatically charged that President Obama has weakened us and brought us less respect everywhere in the world. When President Carter makes a statement such as that, I don't think President Obama should be spiking the football in the Rose Garden.

Why do you think President Carter made those statements? Maybe he has looked at the legacy over the last 6 years, as many of the American people have. Ukraine is on fire. China is threatening its neighbors. Al Qaeda is stronger than ever. ISIS is massacring Christians and Muslims with genocidal savagery the likes of which we haven't seen since the Second World War. The Jewish people are facing the greatest threat since the Holocaust.

The President got this deal with the ayatollahs, no matter how dangerous and no matter how destabilizing the final accord is. He has claimed a victory, and the media vanguards are right behind him, and he is going to late-night comedy cable shows to build his case.

Ladies and gentlemen, this is no laughing matter. You are going to hear a lot of speeches over the next few weeks—in the 60 days we have to review this deal. There are going to be a lot of technical terms, a lot of things that quite honesty some Members of Congress don't fully understand. But I hope that over the next 60 days we will be able to communicate to the American people in a way that they understand why this is a very dangerous deal.

Here are some questions I hope you will look into and form your own opinion.

One question: Is there truly a dismantlement of Iran's nuclear program? I have looked at the summary of the agreement. I have not read the full text yet. I will be doing that this week. But it is very clear this is not a matter of whether Iran can have a nuclear weapon; it is a matter of when they can have a nuclear weapon. That is not dismantlement; that is scheduling.

There is another one. I think my colleague from Indiana just spoke about it. It has to do with inspections. We use terms like ''snapback'' and everything else, but let's put this in very simple terms. Imagine that the police in your community suspected there was a criminal enterprise in some house. Imagine that instead of being able to get a warrant and then quickly go and knock on the door and identify that criminal activity, the police would send a letter to the criminal saying: In the next 4 or 5 weeks, 3 or 4 weeks, we are going to do a surprise inspection on your house. What is the likelihood that criminal presence or that criminal activity is going to be there? That is the nature of the inspections regime with the nation that still continues to chant ''Death to America.'' They are not a good player. They are not a good actor. Giving them time to prepare for a so-called snap inspection makes no sense to me, but that is what is in this deal, and it is written out in plain English.

Another question is this: Why hasn't the President done something as basic as have the Iranian people—or the Iranian leadership, I should say; this is not about the people, it is about the leadership—show good faith by releasing American prisoners in Iran?

As far as the ballistic missile program, ask the President, ask the people who negotiated this agreement: Will Iran have a ballistic missile program? The answer is yes. They actually have backorders for missiles that could reach Europe. Over time, they will develop a program that will reach the United States. This agreement has no treatment for this.

Ask them if they will dismantle the Iran terror network. The Iran terror network operates throughout the world. The Iran terror network is funded literally through the Government of Iran. Over $300 million has been identified by Canadian intelligence agencies as having been funneled to terrorist organizations such as Hezbollah, Hamas, and a number of others. Are they going to dismantle it? No. As a matter of fact, I believe that with the sanctions being removed, it is going to provide them more money to fund those networks.

Why would the President release $140 billion in sanctions? Why would we do that? Why would we provide money to a nation that says they need money but they can spend money on terror and a number of other things—not education, not fixing roads, not better health care for Iranians, but spreading terror throughout the world? Why on Earth would we give them more money to do that?

The President has given birth to the Middle East nuclear arms race as well. Ask yourself this question: Do you think it is likely that Saudi Arabia, Turkey, Egypt, and other Gulf States are going to stand idly by when a hostile regime is going to have a nuclear capability over some period of time? Of course not. They are going to do what they need to do to feel like they are protecting their citizens. It will give rise to an arms race. We will be taking about this if this deal goes through I think in my tenure as a Senator over the next 5 years.

President Obama has willfully ignored 40 years of hostility from Tehran. The President may not recognize that we are at war, but the Iranians certainly do. They say in public statements that they are going to continue their fight against America. They are a chief sponsor of global terror. They have never stepped back from their desire to obliterate the United States and our great friend and ally Israel.

This is the Obama doctrine. The President sees America as the problem. He views Israel as an obstacle to peace and Iran as another oppressed constituency with legitimate grievances against the West. In fact, so much so, when millions of Iranians took to the streets to protest the mullahs—the leaders of Iran—the President was silent. The old American alliances are collapsing in confusion and fear, and the only answer from the administration seems to be a clear path toward Iran possessing a nuclear weapon.

In his 1987 State of the Union Address, President Ronald Reagan warned:

> Our approach is not to seek agreement for agreement's sake but to settle only for agreements that truly enhance our national security and that of our allies. We will never put our security at risk or that of our allies just to reach an agreement. . . . No agreement is better than a bad agreement.

So there you have it. Our allies—Israel, Saudi Arabia, the Gulf States, Jordan, Egypt—are worried. Tehran is on the march and moving closer to a nuclear weapon. Charles Krauthammer noted, ''The one great hope for Middle East peace, the strategic anchor for 40 years [the United States] is giving the green light to terror.'' Ladies and gentlemen, I don't think that is a legacy anyone should be proud of.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Maine.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 1828 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Washington.

WOMEN VETERANS AND FAMILIES HEALTH SERVICES ACT OF 2015

Mrs. MURRAY. Mr. President, I am on the floor today to discuss the path forward on my bill, the Women Veterans and Families Health Services Act of 2015. This is legislation which would end VA's decades-old ban on fertility services, and it would take critical steps toward ensuring that we are doing everything we can to support veterans who have sacrificed so much for our country and have suffered injuries on the battlefield that prevent them from having children on their own.

I introduced this legislation because I believe strongly that our commitment to servicemembers doesn't stop at the end of their tours. I believe that commitment doesn't stop at all, ever. And a critical part of this commitment—of what our country should do to make sure those who sacrificed so much for us can live the lives they hoped for—is helping seriously wounded veterans start families so that those who put their lives on hold and on the line have the opportunity to achieve that important goal.

Caring for our veterans should never be a partisan issue, and helping our wounded warriors start families should rise above the petty political fights we see too often in Washington, DC. So I was very proud to work with Republicans on the Veterans' Affairs Committee on a bipartisan compromise, one that should have allowed my veterans health care act to pass through the committee today with strong bipartisan support, as it has in the past. And until yesterday, that was exactly what I thought was going to happen. My bill was on the agenda. It was going to come up for a vote, and I thought it was going to pass. That is why I am so disappointed and truly angry that Republicans on the Veterans' Affairs Committee decided yesterday to leap at the opportunity to pander to their base, to poison the well with the political cable news battle of the day and turn their backs on these wounded veterans.

Just a few Republicans with just a few poison-pill amendments have turned our bipartisan effort to help wounded veterans into a partisan effort to attack women's health care. I find that shameful. That is why, after it became clear that there was not a path to getting those political amendments withdrawn today, I spoke with Chairman ISAKSON and I asked him to pull the bill from the markup rather than see it become a vehicle for partisan, political attacks.

I know some Republicans are trying to use this latest issue as just one more opportunity to roll back the clock and take away women's health care options. We can have that fight. We have had it many times before. But we should not be putting veterans in the middle of it. Don't take something that should be above politics—our sacred duty to our veterans—and pull it down into the muck of petty politics. It is not fair to these veterans and it is not fair to their families, who have been hoping and praying for the opportunity to have children. It is not fair to the veterans and servicemembers, who don't want to see their health care become just one more political football. And it is certainly not fair to our constituents, who send us to Congress expecting us to stand together and support those who sacrificed so much for all of us.

I am going to keep fighting for them and for this effort. I am not going to let those who put politics ahead of veterans and servicemembers get their way.

I truly do hope Republicans reconsider this absolutely shameful approach today and work with us to get this bill done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I join my extraordinarily dedicated and distinguished colleague from Washington State in expressing my regret that this bill will not be on our agenda today, and I thank her for championing a cause that matters so vitally to our military men and women, which is the cause of fairness to our veterans and putting our veterans above politics.

The bill she has advocated steadfastly and so eloquently provides services to wounded women warriors who want to have children and cannot do so because of those wounds of war. It makes available to them modern medicine, just as we are trying to do in other areas where the signature wounds of war inflict such damage on our wounded warriors. They deserve the right to treatment that enables them to have families, enables them to overcome those wounds of war that interfere with their ability to have children.

That is important not only to them but to their families, to their husbands. Many of their husbands are themselves veterans. This issue has ramifications way beyond the individuals involved. It is a matter of putting our veterans above politics, which traditionally has been our practice on the Veterans' Affairs Committee.

I am very proud to serve as the ranking member of that committee, to have worked with Senator MURRAY in her tireless efforts on this bill going back years. She has been rightly recognized for those efforts. Today I very much regret the tradition of our committee—putting veterans above politics—has succumbed to this threat; that the bill offered by Senator MURRAY will become mired down in issues that have nothing to do with providing IVF services to our wounded women warriors.

The amendments that have been offered are completely irrelevant and extraneous to the objectives of the bill. Make no mistake, they have nothing to do with protecting women, they have nothing to do with enabling our women veterans to have children and overcome those wounds of war. They are completely irrelevant, indeed contrary to the objectives of that bill. Yet they will now cause this bill to be removed from the agenda.

I just want to say to my colleague and fellow member of that committee that I am absolutely determined to find a path forward for this bill. It will be a priority of mine personally. I know it is a priority of the Senator from Washington, and I will join her in ensuring that our colleagues know we are determined to move forward, to find a path to pass this measure, and to make sure our women veterans are recognized for the heroes they are.

These amendments are a disservice to them. Very simply, they are disrespectful to the women who sacrificed so much, who have suffered the same wounds as our men, and who receive less respect by virtue of this bill being withdrawn. I am hopeful we can work with Senator ISAKSON, chairman of the committee, to find that path forward. He has been very bipartisan in his approach, and I thank him for his efforts in that respect.

I will redouble my efforts to make sure we keep faith with our women veterans, enabling them to overcome those injuries that prevent them from having children and giving up the benefit of their being such great parents and giving our Nation great children, which is our obligation on this committee, in this body, and in this country.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DRIVE ACT

Mr. INHOFE. Mr. President, in a moment I am going to be going over and concentrating on some of the things that are in this bill, just concentrating on bridges, something people are not as aware of as they should be. Now what I am talking about is that sometime today we are going to be repeating the vote that we had yesterday, except this time we should be able to get it adopted.

I don't criticize any of the Democrats who voted against the motion to proceed to the highway bill yesterday because they did not get information in a timely fashion. It was our fault that they did not get the information until about 30 minutes before the vote. I understand that. Now they have had 24 hours to look it over. I think they will be pleased to support the long-term highway bill. So I was not one who complained about that.

That vote will take place today. That is to get us to the bill, so we can start on amendments. I am going to ask as many of our Members to bring down amendments, if they have amendments, so we can get them in the queue to discuss. There are three committees involved. The very largest piece of the bill is the Environment and Public Works Committee, which is the committee that I chair.

When I say the vast majority of that, what I am talking about is 80 percent of the bill. So that has been available for inspection by the public, by the Democrats, the Republicans, by all of the Members ever since June 24. June

24 is when we passed this bill out of the committee by a unanimous vote. Every Democrat, every Republican on the committee voted for it.

Now, there are some people, I suppose, who are going to be playing politics with this bill on this vote. They have to realize this is an issue that needs to be addressed. I would say this, there are two things that were voiced as objections. Some voted no because they did not get everything they wanted in the bill. Some of them thought they would be able to get a better deal.

Let me just address that. The bill is too important to play politics with. If we wait until we have more time, then we are going to be in trouble and miss the construction season. The problem with this is, particularly those Northern States will miss an entire construction season if we do the alternative. What is the alternative? The alternative is to go back; instead of a 6-year-funded reauthorization bill, go back to short-term extensions. Short-term extensions are an ineffective use of highway dollars. Short-term extensions are not the conservative position but they also would miss an entire construction season. I understand that the House is talking about trying to do an extension to the end of the year. If they do that, then States like Pennsylvania—that is where Congressman SHUSTER is from—will miss an entire construction season. So I think that is critical.

If you talk to any Governor, any mayor, and any State department of transportation about the urgency of the timing of this bill, they will tell you that if we miss this opportunity to authorize a 6-year bill, with 3 years of identified funding this summer, we will miss the 2016 construction season. So the strongest supporters of this bill are the officials closer to the people at home—the mayors, the Governors, the State departments of transportation. So that is what we are going to be faced with.

To address the second point and objection, I have been approached by many Members on both sides of the aisle who have said they are planning to vote no today because their program did not get enough funding for Amtrak or bike trails or sidewalks or something else in this bill. We did not go far enough toward their project.

Well, look, I am in the same situation. This will be my sixth highway bill that I have actually authorized. Three of those I was the primary sponsor. I can tell you these bills are about compromise. Not everybody gets exactly what they want. I assure you I did not get everything I wanted in our unanimous EPW markup with Senator BOXER. Now, keep in mind, Senator BOXER is a very proud liberal, I am a very proud conservative. Yet we agreed wholeheartedly on this. We led the fight to come out with a unanimous bill.

The House is watching us very closely. They are even discussing taking our good work, doing it, taking it up in the House. I think that is what would happen. There are a lot of them over there saying, no, they don't want to do that. They want to have a part-time, short-term extension to the end of the year because I think they can get that into some kind of tax reform.

Again, you miss a construction season, and you are wasting valuable time and money. So we do not want to do that, but I want to get into some of these tales, talking about our bridges. There are over 60,000 structurally deficient bridges in this country. The first chart shows—the diagram there—the darker color, that is where the heaviest, the more serious problems are right now.

Look at my State of Oklahoma. For a Western State, we have greater problems than many of the States have. In fact, one out of every four bridges is structurally deficient. The American Society of Civil Engineers gives our bridges a grade of C+.

Now, how did we get here? President Eisenhower's legacy system was built with a 50-year lifespan. In many parts of this country we have exceeded that lifespan. We are out of warranty, I say to the Chair. That is why we need to get it done. MAP–21 was the right step for bringing us into the 21st century, but a long-term solution has been needed to fix the $112 billion in backlog of rehabilitation for our Nation's bridges.

So 430 of the 435 congressional districts have structurally deficient bridges. This means that all but five Members of the House of Representatives have bridges back home in need of major repair in their districts. This is everybody's problem.

In my State of Oklahoma we have two of the top 10 worst districts by number of deficient bridges. One of our districts is ranked second in the Nation. Congressman FRANK LUCAS's district is a rural district that covers about half of the State, but there aren't many people in there. He said there are over 2,000 deficient bridges just in one congressional district. In Congressman MARKWAYNE MULLIN's district, there are 1,205 deficient bridges.

I know firsthand that the Oklahoma Department of Transportation has worked tirelessly to address the needs for bridge safety, but they need longer term certainty in a Federal partnership to make this happen. This is what this bill is all about. In light of the Nation's bridges, we have to do more to prioritize safety and stability. We can't wait around for another collapse to fix the crumbling bridges. A bridge collapse or closure brings significant and sudden economic impacts to the impacted region.

The economic cost of the I–35 West bridge collapse in Minnesota—and we all remember that; that was all over the news in 2007—averaged $400,000 a day of economic loss. The Minnesota Department of Transportation found that the State's economy lost $60 million as a direct result of the collapse.

This is that bridge, as shown in this picture I have in the Chamber. You remember that it had a lot of publicity at the time. Then all of a sudden it is kind of a wake-up call. People realize this is for real. We need to do something about it.

In 2013, the Skagit River Bridge collapse on Interstate 5 in Washington State had similar effects on the local economy, with an estimated impact of $8.3 million during the 26-day closure and repair of this bridge.

The Brent Spence Bridge is a bridge in need of repair. It connects Cincinnati, OH, to Kentucky. This is an old bridge, which you can see just by looking at it. That is one that would have to be replaced.

It would be impossible to do that in anything except a long-term bill. You cannot do that with short-term fixes. Nobody argues that point. That is a fact.

Senator ROB PORTMAN of Ohio and SHERROD BROWN of Ohio are very much concerned about this bridge. They are on one side of this bridge, and in Kentucky we have Senator MITCH MCCONNELL and Senator RAND PAUL. This bridge is functionally obsolete. It was built in 1963. The bridge is more than 50 years old and is designed to carry more than 85,000 cars a day, but by 2025 it is expected to carry 200,000 cars a day.

According to the American Transportation Research Institute, the Brent Spence Bridge is the fourth most congested truck point in the U.S. infrastructure grid. The cost in congestion is staggering when you consider that $420 billion in freight crosses the bridge every year.

Freight haulers bear the brunt in congestion costs and delays associated with just traveling across the bridge, which cost the trucker almost $40 during rush hour. What we are talking about there is that when cars and trucks are going over this bridge, they are stopped. It is a choke point. So they are sitting there, their engines are idling, and there is a tremendous cost. So in the aggregate, the delays on the bridge cost travelers over $750 million each year in wasted time and fuel. Each year, 1.6 million gallons of fuel are wasted due to congestion on this bridge.

Senators JEFF SESSIONS and RICHARD SHELBY are very concerned about the I–10 Mobile River Bridge in Alabama. Currently, traffic is carried through the George C. Wallace Tunnel, the I–10 crossing under the Mobile River in Alabama.

Constructed in the 1970s, the tunnel was designed with an anticipated daily traffic count—this is the tunnel—of 36,000 vehicles. Currently, the tunnel averages approximately 80,000 vehicles a day and can reach as many as 100,000 vehicles in peak season. The traffic volume causes heavy congestion. This is as it is today. There is a proposed project to relieve the congestion and increase mobility, but it is not going to happen unless we have this bill pass.

Arlington Memorial Bridge connects Virginia to DC. Probably, most people who are here today have been across this bridge. They see what condition it is in. It was built in 1932. The Arlington Memorial Bridge is well beyond its design life.

It is structurally deficient. We know what the traffic is like on that bridge. The bridge serves as a significant part of the National Highway System, a major evacuation route, and carries more than 68,000 vehicles each day, including commuters, residents, dignitaries, and official ceremonies. My staff tells me this bridge is on the news on a regular basis due to progressive deterioration. The government has had to conduct emergency-lane closures and enforce a load limit. Repair work will take 6 months to 9 months.

The I–264 bridge over Lynnhaven Parkway carries traffic to Virginia Beach. It is a popular vacation spot. A lot of people here go there with regularity, and they know what this bridge is about. I have crossed this bridge many times. It is one of the 10 most heavily traveled deficient bridges in the State of Virginia. It carries just under 135,000 cars a day.

The Magnolia Bridge is in Seattle, WA. I always wondered why they called that the Magnolia Bridge. There aren't any magnolia trees in that part of the north that I know of. But nonetheless that is what it is. But it was built in 1929. Just imagine that. It is from 1929, and everyone recognizes the dangers that are involved. The bridge carries 18,000 cars a day and is structurally deficient. While the bridge is in a residential area and on the community's radar, it hasn't received necessary funding to reconstruct the 86-year-old bridge.

Greenfield Bridge in Pittsburgh is in the area of the chairman of the Transportation and Infrastructure Committee of the House of Representatives. Pennsylvania has the most structurally deficient bridges in the country, and this is just one of them. It was built in 1921 and now carries 7,782 cars a day. A 10-inch chunk of concrete went through a car windshield in 2003, injuring the driver. Later that year, the city spent some $652,000 to build a temporary bridge to catch whatever came through the nets. In other words, there is a bridge under this bridge.

This same thing happened in my State of Oklahoma with a bridge in Oklahoma City. It wasn't long ago. By the way, that bridge was taken care of in the 2005 bill. It was the last long-term bill that we have had. I recall vividly a mother with three children driving under it. A chunk of concrete fell off and killed the mother instantly. Of course, that got everyone's attention, and then we passed the last reauthorization bill, which was 2005. Greenfield Bridge deals with the similar hazardous issue. They have to build a bridge under the bridge to catch falling debris.

This is the Pittsburgh Greenfield Bridge. Repairing bridges like these cannot be done with short-term fixes.

There is the Court Avenue Bridge in Des Moines, IA. That happens to be where I was born. It is represented now by Senator CHUCK GRASSLEY and Senator JONI ERNST. Iowa has the second most number of structurally deficient bridges in the country. It was built in 1918, and it now carries 3,920 cars per day. While the State recently increased the State gas tax, it will still require Federal partnership to ensure progress on fixing this bridge. It is not going to be done without long-term certainty.

There is the Brandywine Bridge on I–95 in Wilmington, DE, which is not far from here. Senator COONS and Senator CARPER should be very much concerned about that. That is a 50-year-old bridge. The bridge deck is deteriorating. The viaduct, which carries travelers on I–95, is a major road. If you go from here to New York City, you are talking about I–95, one of the most traveled interstates. It goes through Wilmington and has experienced serious concrete corrosion. In this structure, the substructure has cracks and spalls and is in need of repair. This is another dangerous site. It is not going to be done in the absence of the passage of this bill.

As to the Chef Menteur Pass in New Orleans, I am sure Senator BILL CASSIDY and Senator VITTER are concerned. It was built in 1930. It carries 1,800 cars a day across Highway 90.

Then there is Cesar Chavez Boulevard in San Francisco. That was built in 1951 and carries 234,000 cars per day. It is one of the older bridges on the west coast that needs to be repaired.

In Little Rock, AR, getting very close to my area, Senator TOM COTTON and Senator JOHN BOOZMAN are very much concerned about this. They should be. I am sure they are. It is structurally deficient. It was built in 1961 and carries traffic over railroad tracks—116,000 cars a day. Arkansas is delaying projects because of uncertainty at the Federal level. That is what this bill is all about.

The Storrow Drive Bridge is in Boston, MA, and Senator WARNER and Senator MARKEY will be concerned. It was built in 1951. This structurally deficient bridge carries 57,770 cars per day. The Storrow Drive Bridge earned its structurally deficient rating because of the corroding support beams that support one of the many highly trafficked bridges in the Nation. I have crossed that one several times.

We have the U.S. 1–9 over the Passaic River in Newark, NJ. Senator BOOKER and Senator MENENDEZ are concerned about that. Herbert Hoover was President when the bridge was built in 1932 with an estimated design volume of 5,500 vehicles a day. It is now up to 62,700 vehicles per day.

The Calcasieu River Bridge in Lake Charles, LA, was built in 1952 and is a structurally deficient bridge that now carries 70,100 cars per day. Its steep grades have been cited as a traffic concern, especially given the high volume of trucks that bridge carries along the major east-west corridor.

The Brooklyn Bridge—everyone knows about the Brooklyn Bridge. The pages are too young to remember this, but that was back when Johnny Weissmuller was Tarzan. Did you see any of the old movies? He dove off the Brooklyn Bridge. I remember that from when I was your age. Do you know when that was built? That was built in 1883. This structurally deficient bridge now carries 135,000 cars a day. That is one of the oldest ones around. I remember so well when Johnny Weissmuller was chased by the police and dove down. I always wondered what happened to him.

The San Francisco-Oakland Bay Bridge—San Francisco to Oakland, CA—was built in 1936. This bridge is now functionally obsolete, yet it carries 204,900 cars per day, and there are many fears that the bridge might collapse.

That is what happened in Minnesota. You cannot wait until that happens to avoid the disasters. You can almost imagine if this bridge collapsed. People are concerned about it because that is right in the middle of earthquake country. And if you take something that is already structurally deficient and you give it a little bit of tremor, it could go.

In Missouri, Senator BLUNT and Senator MCCASKILL ought to be concerned. It is one State that would significantly benefit from the DRIVE Act and the long-term certainty it provides. Missouri has the fourth most structurally deficient bridges in the country, with 3,310 of them. Furthermore, Missouri has three districts ranked in the top 20 for worst bridges. The district of House Representative GRAVES has 1,345 deficient bridges, Representative SMITH has 615 deficient bridges, and Representative HARTZLER has 600 deficient bridges. Dennis Heckman, Missouri's DOT State bridge engineer, agrees that the State needs to seriously address its aging bridges. It is clear when he says that ''they're in bad condition, they're worn out.''

Broadway Bridge in Kansas City is a prime example of a structurally deficient bridge desperately in need of reconstruction. Built in 1955, this bridge is beyond its design life and has to support over 45,000 cars a day.

The Interstate 70 bridge over Havana Street and the Union Pacific Railroad is in Denver. CORY GARDNER is very familiar with this, as is Senator BENNET. This is the most traveled structurally deficient bridge in the State of Colorado. Built in 1964, it has 183,000 daily crossings. Every day 3.7 million Coloradans cross this structurally deficient bridge.

The DRIVE Act will work to make these bridges safer for all travelers.

Getting toward the end here—and there are a lot more—the Russell Street Bridge is in Missoula, MT. I was

actually on that when I was up there during STEVE DAINES' election recently. Transportation For America graded the deck of the Russell Street Bridge a 4 in a soundness scale of 1 through 10. The Russell Street Bridge was built in 1957 and carries 22,650 cars per day.

In light of these decaying bridges, the DRIVE Act will provide adequate infrastructure investment for our Nation's bridges. Senator BARBARA BOXER and I made that a top priority in the DRIVE Act, and I think it is something we need to keep in mind.

We have an opportunity to move to this bill this afternoon. The vote hasn't been scheduled yet. It needs to happen today. It will be a motion to proceed to the highway reauthorization bill, and it is one that will get us so that we can start working on amendments. We have a lot of amendments. A lot of people are using this. They know the bill has to pass. This falls into the category of a must-pass bill. Everybody knows, for the reasons I have been talking about for several days, it is going to have to pass. So there are a lot of people who have amendments that have nothing to do with bridges and nothing to do with the roads. That is OK. This is a vehicle they can use to try to get other programs through. In fact, I myself may be guilty of that. But nonetheless we can't do any of that until we get to the bill, so the motion to proceed has to be agreed to.

As soon as the motion to proceed is adopted, I would encourage all Members to come forth with their amendments so they can be heard before any deadlines pass.

With that, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TILLIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS TO VA BILL

Mr. TILLIS. Mr. President, we were sworn in—you and I both—in January, and I know we have both gone to our States and traveled across our States to get an idea of the pressing problems our States and our Nation face. One of the areas I have focused most of my attention on is veterans affairs, particularly the hospitals and the services we are providing veterans across the State.

I am concerned that we have a problem with priorities. I am concerned that maybe the focus isn't where it needs to be to make sure we take care of the most pressing problems for our veterans. Whether it is the Choice Act, whether it is just providing ambulatory care, PTSD, mental health, or a number of other things, we have shortages, and we need to get the Veterans' Administration focused on solving the most pressing problems.

I decided we needed to produce some amendments that would have been heard today in the Committee on Veterans' Affairs for a bill that would affect the VA. Why would I want to do that? Because when out of the blue a proposal for some $500 million in unanticipated costs could potentially be considered today, I get worried. And I will talk later about the various things that make me worry about what would be lost if we were to reprioritize half a billion dollars, with all the things we already have on our plate that deal with the VA.

But the amendments some of my colleagues on the other side of the aisle were talking about earlier today were my responsibility. They referred—I guess in deference—to Republicans. The reality is that they were amendments that came out of my office, and I want to talk a little about what these amendments were. They were referred to as political games, but three of them were very focused on good government. One of them was to make sure we do not implement policy that moves a priority or moves something ahead of the line of the other critical priorities we have for our veterans. All it said was that we would not fund this project until we had certification that the most pressing priorities—which I will talk about in a few minutes—had actually been addressed.

Another amendment was just about reporting—how does this project work? All too often we pass policies here and we never measure the results. That is what is wrong with Washington. We don't think through the full consequences of a lot of the policies we implement. So it was simply to provide a reporting mechanism so we could follow up on this policy and see what it costs and the real benefits over time.

The last amendment is something I know the Presiding Officer has problems with because he is a very successful businessman. In business, we would never think about balancing the books for this year and next year based on what the business is going to do 10 years from now, but that is exactly what nearly half of the $500 million that was to be used for this bill would have done. It is reaching all the way out to 2025 to assume that some savings achieved there could be used to pay for something today. That is not the way we need to be budgeting in Washington. We have an $18 trillion deficit—or I should say debt—and a lot of that is this kind of thinking that has been going on in Washington for too long—and I might add, under Democratic and Republican leadership. We have to change.

The other amendments were fairly straightforward too. So three amendments on good government and accountability and responsible budgeting. The other three were things I think most Americans would agree with.

One would simply prevent taxpayer funds from being used—the whole bill, I should have mentioned, has to do with providing in vitro fertilization coverage for veterans. One of the amendments simply said: You cannot use taxpayer funds to do any form of sex selection with respect to determining which embryo may be able to come to life versus the other ones that couldn't. Another amendment has to do with something as simple as not having the VA work with organizations that take the organs of human aborted babies and sell them. Those are the sorts of amendments we were talking about. It wasn't to kill in vitro fertilization. I know of many friends and others who have actually benefited and brought babies into the world through in vitro fertilization. This was about making sure we did it in a responsible manner.

But the heart of my problem goes back to the long list of broken promises that sooner or later this Congress has to fulfill for our veterans. Let's talk a little about those. We are talking about taking half a billion dollars and spending it on some priority that is not even on the books today.

What about these priorities? I worry about the 120,000 claims currently in the VA backlog. These are people who served our country who are looking for medical help and who are in the backlog waiting for treatment. What about that priority?

What about the 22 veterans on average a day committing suicide, most of them related to PTSD? We passed the Clay Hunt Suicide Prevention Act as a first step toward trying to address this chronic problem. At the time we passed it, we all acknowledged that the funding we gave it wasn't enough, but it was a start.

What about additional funding for men and women who are suffering from various traumas they experience in service to our Nation? That is a priority we need to be absolutely certain is provided for.

I also worry about the unemployment problems. I think 75 percent of the Iran and Afghanistan veterans are dealing with unemployment once they transition from military service into the private sector. What about initiatives to get them back to work, take care of them and their families?

I could go on and on.

At Camp Lejeune in my great State of North Carolina, we have identified something that occurred over many years—exposure to toxic substances which have been linked to cancer. I had a meeting just last week with the Secretary of the VA. Only 13 percent of the requests for coverage are being fulfilled. We think it should be closer to 50 or 60. What about the funding for those folks who contracted cancer as a result of toxic substances at Camp Lejeune? Don't they deserve to be somewhere higher in the priority list?

I could go on and on.

There are the wait times, the critical medical services they need.

Today, the promises we made to veterans should be our top priority. At some point in time, it may make sense to add another half a billion dollars for this medical treatment that has been proposed by my colleagues on the other side of the aisle but not until we are absolutely certain that the promises we have already made are going to be fulfilled. That is all we attempted to do today.

In some respects, I regret that my colleagues on the other side of the aisle considered it political. I don't consider it political. I don't think it is political when you are trying to live within your means or making sure the policies you are implementing actually work the way you intended or when you are actually spending money over the next year or two versus 10 years from now. I think that is responsible government.

The gimmicks and the old rhetoric in this Chamber need to stop. We need to start focusing on fulfilling promises first and foremost to the men and women who have served our country bravely and defended our freedom. That is what my proposed amendments were about, and that is what they will be about if this measure ever comes up again because if I can fulfill no other promise, my promise to the men and women who have served this Nation will be paramount in all the things I do in my service here over the next 5½ years in the U.S. Senate. This was a threat to my being able to fulfill that promise, and I am glad we are going to be able to move on.

I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCOTT). Without objection, it is so ordered.

DODD-FRANK REGULATIONS

Mr. LANKFORD. Mr. President, I come to the floor with a happy birthday message today. I come with wishes for a happy birthday for the fifth birthday of the Dodd-Frank regulations.

Where are we as a nation with this wonderful 5-year-old running around our Nation right now, pushing out birthday cake across every bank and financial institution across the country? Exactly how is that going?

Let me share a couple of things. Everyone in this Nation remembers extremely well 2008 and the financial collapse that happened. We remember Lehman Brothers closing down and causing panic. We remember Fannie and Freddie rules finally reaping the consequences of what the Nation assumed would happen at some point from all of these very low rates and from encouraging people to buy who can't afford to pay back a loan. We knew what would occur. The rise of a conversation, something called too big to fail that we had never heard before, suddenly grows up, and we move as a nation in 2009 from trying to regulate financial institutions to actually running financial institutions. The regulations were considered too small, and for institutions that were big, it was determined that Big Business means Big Government needs to run it.

I would have to say there is not a lot about the efficiency of Washington, DC, that we would look across the fruited plain and say this is working so well in Washington, DC, we should run every big company as well. In the days of government shutdowns and $18 trillion of debt and slow decisionmaking, there is a great need for private businesses to be pushed to be able to do things efficiently, to be able to manage our economy effectively. Clearly, there is a need for regulations, but I would also say that, clearly, the U.S. Government should not step into businesses and run them instead of just regulating the boundaries.

This is a free market, but sadly, in 2009, the U.S. Government went to running General Motors. We started running individual banks and insurance companies. We have to be able to shift out of that and we have to be able to find a way in the days ahead for that never to occur again.

I would say multiple things about this. Now, 5 years into Dodd-Frank, 400 new rules in the process of being promulgated, literally 12,500 pages of regulations that have now been spun out—12,500 pages of regulations—just dealing with 271 rulemakings.

So here is what we are up against: 271 rulemaking deadlines have passed. Of those, 192 of them have been met with finalized rules, and rules have been proposed that would meet 46 more. Rules have not yet been proposed to meet 33 passed rulemaking requirements. Of the 390 total rulemaking requirements, 247 of them have been met with finalized rules, and rules have been proposed that would meet 60 more. What am I trying to say with all of that? There is a lot coming out of this, and there is a lot more still to come.

I would challenge any person in this Chamber and any person across America that if you are having to run your business, and if as you started to run your business and a government regulator walked in with 12,500 pages and said, I need someone in your company to know all of these regulations, you would not respond with a smile and wish them a happy birthday. You would respond with great frustration and say: Why are you walking into my company with 12,500 pages of new regulations? Now, there are previous regulations this is stacked on top of. They say here is an additional stack of 12,500 pages that you need to know and follow.

This is the fruit of the Dodd-Frank regulations. I would say there are a lot of things we need to discuss with this bill, but let me just highlight a few of those. First, let's get some common agreement. Can we all agree the community banks, the smallest banks across America—most of them in rural communities—did not cause the financial collapse in 2008? In fact, they didn't even contribute to the financial collapse in 2008. The smallest community banks across the country are vital accesses to capital for farmers, small businesses, Main Street folks, and folks who just do deposits to their savings and checking accounts. These are small community banks. For more than 1,200 U.S. counties, with a combined population of 16 million Americans, without those community banks, they would be severely limited to any kind of access to banking. Big banks tend to focus on the biggest loans and in big towns. Small community and traditional banks focus on smaller communities. In my State of Oklahoma, a person can go to every small town and find a school, a gas station, a church, and a bank, and often that bank is a very small community bank. They know everybody in town and everybody knows them. But the rules changed for them after Dodd-Frank, and it wasn't because that bank caused anything.

Regardless of the law's merit in any area—and we can have a great conversation about a lot of issues with Dodd-Frank—financial reform was to contain the systemic risk in the financial sector of very large companies, which were called the too big to fail, which I refer to often as the ''too big to be free now,'' because the Federal Government is stepping in to try to run all of these companies and say: You can't have a free market in that area; we are going to have to run you instead.

But these small bank failures are not a threat to the economy. They weren't supposed to be a target of Dodd-Frank, but they most certainly are. All of these banks now suffer the consequences. A study by the Federal Reserve Bank of Minneapolis found that for banks that have less than $50 million in assets, hiring two additional personnel reduces their profitability by 45 basis points, resulting in one-third of these banks becoming unprofitable. Why would I raise that? Because there are a whole host of regulators who say just hire one or two additional compliance people, and you can keep up with the 12,500 additional pages that have been rolled out. These small community banks can't keep up with that. The Mercatus Center surveyed 200 banks with less than $10 billion in assets, and 83 percent found that their regulatory compliance costs increased by more than 5 percent, and the median number of compliance staff increased from one to two. They all had to add additional folks—not additional folks to make more loans, not additional folks to greet more customers as they walk in the door, additional folks in the back office simply filling out forms and turning them in.

Government figures indicate that the country is losing, on average, one community bank or credit union a day now. Alternatively, in the last 5 years, regulators have only approved 1 new bank, as opposed to an average of 170 banks per year before 2010. Let me run that past my colleagues again. We have approved one new bank in the last 5 years since Dodd-Frank. People don't want to go into banking. This is having the effect we all said it would have; that is, when Dodd-Frank passed, the focus on too big to fail would really mean that you are too small to succeed; that the smallest banks and communities all across the country now cannot keep up with the compliance costs and they will sell out to larger and larger banks. Do my colleagues know what Dodd-Frank has created? Dodd-Frank has created more megabanks and it is pushing more and more smaller banks to sell out.

Since the end of the first quarter in 2010, Oklahoma—my State—has seen 33 community banks disappear through acquisition or merger—33 of them. Twenty-nine of those thirty-three community banks that disappeared were under $100 million in total assets. When asked, the most frequent reason they were selling, they said it was the increasing cost of compliance. They could not keep up because they had to have so many compliance people.

In Oklahoma, 24 percent of the State's commercial banks no longer offer real estate mortgage loans to their customers because of the litigation and regulatory risks they face under the new ability to repay and qualified mortgage rules. Let me run that past my colleagues again because a lot of people don't realize what is happening. The smallest community banks are selling out. They are disappearing. At the same time, 24 percent of the banks in my State no longer offer home loans. That means in these small towns across America, you can't walk into the bank and get a home loan. People have to drive to some other town or go to some other place to try to get a home loan now. It is not because that bank can't do a home loan—they are a bank, that is what they do—it is because of new Dodd-Frank regulations that make them so scared to function and operate through the 12,500 pages they have just decided they don't have enough staff and enough people. The banker says to himself: I sold my neighbor a home, his dad a home, and maybe his grandfather a home in this community. I can no longer do a mortgage for them. That is absurd.

I hope no one would say that was the purpose of Dodd-Frank, but I will tell you this 5-year-old who is running around, these are the consequences. This is happening all across our Nation. These new rules continue to push out the possibility of just doing normal, traditional banking, including savings accounts, checking accounts, home loans, car loans.

Dodd-Frank, ironically, favors the largest banks over community banks. I find that the ultimate irony, based on the way it was sold, not to mention the fact that as a banker now, if you have a problem with one of the regulators and you want to appeal and say: How are we going to actually get through this problem—do my colleagues know whom they appeal to now? Literally, a person in the next cubicle from the previous person who gave the instructions. There is no place they can go. There is no judicial review. There is no opportunity to say this regulation that you have given me is onerous or the decision you have made based on this regulation is onerous. If you want to disagree, you disagree with the person in the next cubicle, and then that same group of people will come and inspect your bank next year. And what do my colleagues think happens?

I have to say we are in a bad spot. This is not about big city bankers. This is about small towns. This is about small town loans. This is about home loans for individuals in rural areas, and these are real consequences to a lot of families. So how do we solve this now? This is what we have—and we have had for 5 years—and it still continues to grow; it still continues to get worse.

What happens now? Let me just talk about some solutions. No. 1, I would say this. We have to deal with one of the big animals in the middle of the creation of Dodd-Frank; that is, the Consumer Federal Protection Bureau. The CFPB was created to be like a fourth branch of government. It is completely autonomous. Its funding comes from the Federal Reserve. It does not have to report to Congress, none of the staff have to report to Congress or turn anything over. There is no requirement for transparency. They only, in a cursory manner, come by and visit Congress every quarter or so and do a report, but they are not required to turn over everything.

They have access to every piece of every bit of consumer finance. They are reaching in to do car loans, they are reaching into credit cards, they are reaching into home loans. They can reach in, in effect, and create regulations in any area they choose to with no accountability. We have to be able to resolve this—not to mention the fact that CFPB is completely redundant to other agencies that already existed in this oversight, and this adds yet another layer on every bank and on every consumer financial institution. But they are unaccountable.

So let's do a couple basic things. One of the proposals that came out from the Appropriations Committee today is to move from there being one Director to a five-member board. This Senator would say that is pretty reasonable, so that we don't have one person managing all consumer finance for the entire country—one person who is completely unaccountable.

Separating them from their appropriations rather than getting their appropriations from the Federal Reserve, getting their appropriations directly from the normal appropriations process like every other agency, including independent agencies—there is no reason to have them be isolated and separate.

Quite frankly, the CFPB is completely redundant to all other areas. There is no reason for them to have redundant activities and authorities. Those should be cleared as well to make sure that every bank, when it is making a decision, can make a decision based on knowing whom its regulator is, not thinking ''This regulator is going to say one thing, but what is the CFPB going to say when they come in next?'' and not having a regulator come in and say ''Well, this is not our regulation, but the CFPB has put this regulation down, and so we are going to follow their regulations as well.'' That is absurd. Clear lines of authorities and responsibilities should be delineated. We can do that. It shouldn't be hard, and it shouldn't even be controversial.

Secondly, we need to reform Fannie and Freddie. Community banks did not cause the problems in 2008; quite frankly, Fannie and Freddie did. Community banks have had this major pushdown of 12,500 pages of regulations. Guess how much reform has happened at Fannie and Freddie? Zero. So the organizations that actually were the problem have gotten off scot-free because now they are making money again and everyone is looking the other way and saying ''Well, they are doing OK; we will leave them alone,'' while the organizations that didn't cause the problems face tons of regulations. There are major reforms that need to happen with Fannie and Freddie. It is about time this Congress actually engaged and stopped saying: You know what, they are in the black. Let's leave them alone.

Do you realize that the government funds 71 percent of new mortgages now through the GSEs and the Federal Housing Administration compared to 32 percent just 10 years ago? Let me repeat that. Ten years ago, the Federal taxpayer backed 32 percent of the loans, and now it is 71 percent.

Dodd-Frank was supposed to be about trying to get the too-big-to-fail issue out of the way and to get the Federal taxpayer out of having to back up every loan and every business across America. Instead, it is increasing the size of banks and it is increasing the exposure of every mortgage in America to the Federal taxpayer. We have to turn that around.

No. 3, Congress has to provide the authority for Federal banking regulators to differentiate the applicability of rules and regulations to various banks based on the bank's operating model and risk profile. If it is a traditional bank, leave it alone; it is a traditional community bank.

In fact, FDIC Commissioner Tom Hoenig had a great plan and a great set

of ideas that I would bring to this body and say we should seriously consider; that is, separate banks not based on their size but on their activity. If it is a traditional bank doing traditional banking, that would mean a couple of things—first, that it has at least 10 percent capitalization, and second would be that it is not involved in complicated derivatives. If it is involved in complicated derivatives, it is going to have very heavy oversight. If it is not, it is a traditional bank and it is well-capitalized. Banking regulations have always been about safety and soundness. If this bank is well-capitalized and not involved in complicated derivatives, why are we there every day trying to manage every aspect of it? Allow it to be a traditional bank. I don't care how big it grows if it is in traditional banking models.

We literally have banks around the country now that are right at about $10 billion in size that are worried they can't get any bigger. We literally have businesses saying: I can't grow because if I grow, I will spring into a whole new set of regulations, and I can't afford more staff to actually do that. This is silly. If it is a traditional bank and it is in good safety and soundness, let it do loans. Let the bank actually engage with its customers in its community and not have to look over its shoulders all the time.

Chairman SHELBY has actually laid out a proposal in the Federal Financial Regulatory Improvement Act. It is a great place to start, with a lot of small aspects and a lot of commonsense ideas and bipartisan ideas that he has been able to stack all together and put into one piece. It is a good idea to provide some regulatory relief in these areas.

I think a fair question to ask is, Are we better off financially as a nation now than we were 5 years ago? Now that this 5-year-old toddler that we call Dodd-Frank is walking around, what has happened? Well, there are some banks that are better capitalized. That is a good thing, but quite frankly we can increase capital requirements without having to go through 12,500 pages of regulations.

We have made it harder to get a loan unless it is a government loan, such as a Small Business Administration loan. We have also literally pushed the loan profile out of private institutions and into Fannie and Freddie, the FHA, and into the Small Business Administration. Now we have record exposure to the Federal taxpayer. We have also made fees to the banks higher, as they have been more challenged as to what to do, and we have half as many banks now offering free checking as we had just 5 years ago. That is a consequence the consumer understands, and it is a consequence of Dodd-Frank. We have fewer banks, we have bigger banks, and we have a lot more complication. In a day when America needs more capital access, we have one bank in 5 years that says: I want to join that market.

Mr. President, I wish I could say ''happy birthday'' to Dodd-Frank, but I am not sure this set of financial regulations is making a lot of Americans happy right now. It is time we come back and revisit this bill.

With that, I yield back.

Mr. MERKLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DRIVE ACT

Mr. INHOFE. Mr. President, I think at any time—hopefully soon—it appears that we are going to be bringing up the vote to proceed as we did yesterday.

Let me just repeat what I did just a couple of hours ago on the floor. I am not critical at all of the Democrats who voted against the motion to proceed yesterday based on the fact that we dropped the ball over here. We were supposed to give them the necessary information on some of the funding mechanisms and things on the offsets. We didn't give them enough time before the vote took place. You can't go over several hundred pages in a few minutes. Now it has been 24 hours.

Well, even my counterpart on the Democratic side, Senator BOXER, voted against it for the same reason. And they have a right. So, anyway, I feel optimistic that when we have this vote we can proceed to the bill.

Let's keep in mind that this is a bill I perceive as a must-pass bill. The alternative to this would be very, very expensive. It would go back to what we had to suffer through between 2009 and this moment that we are in right now; that is, a list of 33 short-term extensions. Short-term extensions, as we all know, are waste and irresponsible use of highway dollars. Consequently, we need to be spending that money on roads and bridges, not short-term extensions.

So I will look forward to getting that motion to proceed adopted. As soon as that happens, that is when we are going to pull the trigger to get as many people down on the floor with amendments. I keep hearing about all of the amendments that are out there that different Members want to come forth with. The criticism we had with the Democrats when they were in charge was that we were not able to get amendments.

Well, we changed that. Since we have been in control, we have allowed amendments. I know we have a lot of them—some germane and some not germane—but it is going to be an open-amendment process.

We need to get this thing moved forward and pass the next vote or we are not going to be in a position to really go over the amendments, to see which amendments we can agree to—and there will be a lot of them that we can.

This is a 6-year bill. We are authorizing for 6 years with 3 years of identified funding.

Our bill authorizes for 6 years something that we call contract authority, which is a mechanism unique to the highway bill in which the Federal Government makes funding commitments of future funding over multiple years. The use of contract authority was created way back in Eisenhower's 1956 Highway Act for a reason, and it exists still today. It has been the cornerstone of highway bills ever since then, giving States and cities long-term certainty to plan their investments over multiple years.

The reason that is important—I used to be in that business many years ago as a contractor for several years—is that you can't have short-term ideas without going back and making years of planning so that you can organize your labor supply, you can organize all of your rentals and everything that would go into a project.

As States begin to break the ground on projects, they match this contract authority with actual cash and are reimbursed from the highway trust fund. So it comes from the highway trust fund, converts to cash, and it goes into contract authority. Unfortunately, up until 2009, the end of SAFETEA-LU—that is when it went in, 2005, and it was a 5-year bill; so it is the end of 2009—this contract authority was always guaranteed by the receipts in the highway trust fund, but we now find ourselves in a situation where the highway trust fund can no longer support current levels of spending as a result of more efficient and electric vehicles.

I have included a mechanism in this bill that will allow Congress to authorize a 6-year transportation bill consistent with how States and locals plan and deliver the projects and then find the necessary offsets to pay the bill.

Currently, Senator HATCH has identified at least 3 years of cuts to the general fund to redirect to the highway trust fund and shore up the differences between what the highway trust fund can support and the DRIVE Act levels of investment.

So in the first 3 years, the States would have a guarantee of at least 3 years of funding so that they could be confident they would be reimbursed on their contract authority.

In the fourth fiscal year of the act, the Secretary will conduct a solvency test to determine the ability to make payments out of the highway trust fund for the remaining 3 years. Keep in mind that this is a 6-year bill. So the remaining 3 years of contract authority would be given to the States.

If the Secretary determines that the balance of either account will dip below $4 billion in a fiscal year for highway account or $1 billion for the mass transit account, then no new projects can be funded from the highway trust fund during that year.

Now, if Congress finds funds to supplement the trust fund during that fiscal year—the fourth year—new projects may begin and be funded, as in the DRIVE Act.

However, it is important to point out that even if the Secretary finds that the trust fund is not able to fund new projects in a fiscal year, during that year the Department can continue to reimburse States for projects that were already under way prior to the end of year 3. This will ensure that there is not a huge cliff at the end of 3 years, which the DOT, Governors, mayors, and the rest of them tell us will prevent a chilling effect on their willingness to use the first 3 years of funding to engage in large, multiyear bridge and interstate reconstruction projects.

That is another reason, by the way, we want to do a 6-year bill. It allows us to get into all of these bridges and these very large. This chart behind me shows the deficient bridges in America. I talked about 25 or so of these this morning and gave a lot of details, which I will do again because we need to get the attention of the Members of the Senate. They will be very familiar with the problems they have. As the Presiding Officer would be familiar with the problems in South Carolina, each Member is familiar with the bridges and geography in his or her own district.

So it means Congress has 3 years to identify about $50 billion to $60 billion worth of additional receipts into the trust fund to honor years 4, 5, and 6 of contract authority. Under this mechanism, the trust fund will continue to receive user fee revenues for all 6 years of the act, plus 2 years after the act, which has been historically done in these big highway bills.

The mechanism is nothing new, as it is similar to the Army Corps of Engineers Chief's reports on WRDA bills. WRDA is the Water Resources Development Act, where they authorize 5 to 10 years of project authorizations and then Congress finds the money on an annual basis to match the authority, the same as the highway bill. So if they can't find the money, construction doesn't start.

Allowing for multiyear planning is a conservative position because it allows States to engage in long-term contracts and negotiate bigger projects at significantly lower cost. Buying materials in bulk, contractors charge less and finish earlier.

Now, what I would like to do at some point is talk about the transparency and also the Tribal Transportation Program. This is a big bill. There is a lot to talk about.

In fact, I think I will go to the transparency first because we hear a lot about transparency. We hear a lot about the need to be aware, about the need for people to be aware. You have to keep in mind this and the Defense authorization bill are the two largest and most significant bills that are out there. In fact, if you read that old contract that nobody reads anymore—called the Constitution—it says what we are supposed to be doing. It tickles me sometimes when I see liberals standing here wanting to get government into more and more programs, when the Constitution says we are only supposed to be doing two things here: defending America and funding our roads and bridges. That is in article I, section 8 of the Constitution.

Anyway, I just wanted to mention that increasing the accountability and improving transparency of the Federal-Aid Highway Program is a key component to the DRIVE Act. I am talking about the act we will be moving to proceed on very shortly, hopefully.

The DRIVE Act includes several provisions to include the transparency of how and where transportation projects are selected and funded, to ensure that stakeholders and the public have faith in the integrity of highway programs and the use of Federal tax dollars.

So they are going to know, if they care—and a lot don't, but the ones who do care, the ones who are watching from a fiscal perspective are going to have that information they can share. The media can have it. You will see articles. I often criticize this administration for their lack of transparency, but you are not going to find any lack of transparency in the DRIVE Act.

The DRIVE Act requires the Transportation Secretary to establish an online platform to report project-level status of the reviews, the approvals, the permits required for compliance with the National Environmental Policy Act—that is NEPA—and other Federal laws. This will allow the public to see the status of an ongoing project or to see what is holding up the project.

That is very significant. By the way, it is important to note that on the NEPA requirements there are some waivers. I applaud some of the more liberal members of the committee I chair, including Senator BARBARA BOXER, who didn't want to go along with a lot of the provisions that streamline this bill but was willing to do it. So I applaud her for doing that. But this will let the public also have access to that to make sure we are doing what we should be doing. In the NEPA requirements, we can see if we are deviating from that or from any of the other requirement that makes the DRIVE Act something that is going to be one of the most valuable pieces of legislation passed this year.

The DRIVE Act also increases transparency regarding the way in which the Federal Highway Administration utilizes Federal-aid highway funding for administrative expenses. This is accomplished by requiring the Federal Highway Administration to report elemental project-level data each fiscal year. So each year they can have access to that.

The DRIVE Act requires that the Transportation Secretary publish all reports submitted to Congress by the Department in order to increase transparency and oversight by Congress and by the public.

Now, these improved transparency provisions will provide to the public better accountability of how the Federal Highway Administration is utilizing its funds. It will also demonstrate how the agency is making progress toward achieving national goals and improving Federal reviews of the highway projects. So we have the transparency built in, but that was one of the requirements we on the conservative side demanded when we put this bill together.

Since we have these charts—and I apologize to those who had to sit through this a couple hours ago, but we have a whole different crowd out there now, and we have our Members, many of them are paying attention to what we are doing since they are going to be called upon to vote in just a matter of a few minutes. On this chart, it shows the dark colors being the ones that have the majority of the structurally deficient bridges. It is on there by county.

I would call attention to my State of Oklahoma because one-quarter of our State is in that high category of deficiencies. If you look at other States—I was talking a few minutes ago to Senator BLUNT from Missouri and he was talking about their deficient bridges. I commented that we actually have more deficient bridges but only by a few. So we are kind of in a comparable situation, but this gives an idea of how widespread this is.

Let's go over some of these bridges. In my home State of Oklahoma, we have 2 of the top 10 worst districts by number of deficient bridges.

FRANK LUCAS is a Congressman from Oklahoma. He just came out from being the chairman of the Agriculture Committee over in the House of Representatives. In his district alone, there are over 2,000 deficient bridges. He has a lot of small bridges because he has the rural areas of Oklahoma, where there aren't many people, but there is a lot of land. So certainly we have a problem. In Congressman MARKWAYNE MULLIN's district there are over 1,000 deficient bridges. Our Oklahoma Department of Transportation is working tirelessly to address bridge safety, but they need the long-term provisions in here to take care of that particular problem.

A bridge collapse or closure brings significant and sudden economic impact. I think we all remember in Minnesota in 2007 the bridge that came down. It was very graphic. It was on all the TV channels, with the ambulances, the people, the injuries, and the deaths. People were rightly concerned about that tragic collapse. That was in Minnesota. It is called the I–35W bridge collapse from 2007. Look at that. You can see that is a death trap, and that is exactly what happened.

The Skagit River Bridge collapse. That is I–5 in Washington State. It had similar effects on the local economy,

with an estimated impact of $8.3 million during the 26-day closure.

The Brent Spence Bridge. This is a big one. This is the one that goes between Ohio and Kentucky. It is one that carries a huge amount of traffic. You can see just by looking at how old this bridge is how structurally deficient the bridge is. You can visibly see that.

Our Members in Ohio, SHERROD BROWN and ROB PORTMAN, and in Kentucky, RAND PAUL and MITCH MCCONNELL, are very familiar with this. I think this really brings it home, to show these bridges to the public, because they have to live with them on a daily basis. This bridge is functionally obsolete. Built in 1963, the bridge is more than 50 years old and was designed to carry 85,000 cars a day, but by 2025 it is expected to carry 200,000 cars a day.

According to the American Transportation Research Institute, the Brent Spence Bridge is the fourth most congested truck point on the U.S. infrastructure grid. The cost in congestion is staggering when you consider the $420 billion of freight to cross the bridge every year.

Freight haulers bear the brunt of the congestion costs. Delays associated with just traveling across the bridge costs a trucker almost $40 during a rush hour.

In the aggregate, the delays on the bridge cost travelers over $750 million a year in wasted time and fuel.

Keep in mind, if you have congestion on bridges, cars stop, trucks stop, and they pollute the air. Their exhaust continues to go, their engines are still running, the efficiency of their vehicles goes down, and it is very expensive. Each year, 1.6 million gallons of fuel are wasted due to congestion on this one bridge. There are 3.6 million hours spent in traffic on the bridge each year.

This is just one bridge we are talking about. In 2011, chunks of concrete fell from the upper deck down to the lower deck of the bridge. What is most alarming is that motorists who use this bridge are five times more likely to get into an accident on this segment of the interstate than any other part of the interstate in Kentucky.

You will see some bridges where they have actually built another bridge under the bridge to catch the falling debris, the falling concrete.

This is the Mobile River Bridge in Alabama. Certainly, Senator SESSIONS and Senator SHELBY are very sensitive to this. It is a bridge that has been a problem for quite some time. It was constructed in the 1970s. The tunnel was to offer some relief from the bridge.

Traffic currently is carried through the George C. Wallace Tunnel, the I–10 crossing under this bridge we are looking at in Alabama. That tunnel was designed with an anticipated daily traffic count of 36,000. Currently, the tunnel averages approximately 80,000 vehicles a day. It can reach as much as 100,000 vehicles in peak season. The traffic volume causes heavy congestion and longer travel times for commercial and noncommercial drivers throughout the region and the rest of the Nation. This right here, incidentally, is what it will look like after the improvements are made. This is what it is today.

(Mr. TOOMEY assumed the Chair.)

I was hoping we had the Pennsylvania chart because the new occupier of the chair would certainly be interested in that, I would think.

The Arlington Memorial Bridge. We are all familiar with that. That connects Washington, DC, and Virginia. Senator WARNER and Senator KAINE travel this bridge on probably a daily basis. This was built in 1932. The Arlington Memorial Bridge is well beyond its design life and is structurally deficient. The bridge serves as a significant part of the National Highway System, a major evacuation route, and carries more than 68,000 vehicles each day. It is crowded and congested almost all the time—at least it is every day I go across.

My staff tells me this bridge is on the local news on a regular basis due to the progressive deterioration that has taken place. The government has had to conduct emergency lane closures and enforce a load limit. Repair work would take 6 to 9 months.

Then we have the I–264 bridge over Lynnhaven Parkway that carries traffic to Virginia Beach, which is down south of where we are right now. It is structurally deficient. We see the chart—it is one of the 10 most heavily traveled deficient bridges in the State of Virginia, and it carries just under 134,000 cars a day.

The next one is in the State of Washington. I always comment when I see this. It is called the Magnolia Bridge; it is too far north for magnolia trees. Anyway, it was built in about 1929. The bridge carries over 18,000 cars a day and is structurally deficient. While the bridge is in a residential area and on the community's radar, it hasn't received the necessary funding to reconstruct the 86-year-old bridge.

Greenfield Bridge, Pittsburgh, PA—I imagine the Chair is familiar with this.

Pennsylvania has the most structurally deficient bridges in the country, and this is one of them. Let me repeat that. The State of Pennsylvania has the most structurally deficient bridges in the entire Nation.

This was built in 1921. It now carries 7,700 cars a day. A 10-inch chunk of concrete went through a car windshield in 2003, injuring the driver. Later that year, the city spent $652,000 to build a temporary bridge to catch whatever came through the nets. So they have a bridge under a bridge. They had to build another bridge to catch whatever falls off of this bridge. This structurally deficient bridge has been crumbling for decades. In order to protect drivers on the busy highway below, nets and platforms were constructed to catch falling debris.

On a similar note, we had a tragic incident in Oklahoma involving falling debris from a bridge. A lady and her children in a car were driving below it, and a chunk of concrete fell off and killed the mother.

Again, I will repeat what I said: Pennsylvania has the most structurally deficient bridges in the entire Nation, and that is just one of them.

The Court Avenue Bridge in Des Moines, where I was born—talk about an old bridge. This was actually built before I was born, in 1918. It now carries 3,900 cars a day.

Iowa has the second most structurally deficient bridges in the country, second only to Pennsylvania. While the State recently increased the gas tax, it will still require Federal partnership to do something about this famous bridge.

I–95. Going from Washington to New York or anyplace up north, you go on I–95. It is a very heavily traveled highway.

This is the Brandywine Bridge in Wilmington. You go right over this bridge on I–95. It is 50 years old. The bridge deck is deteriorating. The viaduct, which carries travelers from I–95 through Wilmington, has experienced serious concrete corrosion. The problem is this bridge was designed for a fraction of the travel that it now has because this is the main artery going up the east coast of the United States. It has cracks and swells. I have actually personally seen this bridge.

The Chef Menteur Pass Bridge in New Orleans, LA, was built in 1930 and carries 1,800 cars a day across Highway 90.

The Cesar Chavez Boulevard Bridge in San Francisco was built in 1951. It carries 234,000 cars a day. It is one of the oldest bridges on the west coast.

The I–30 in Little Rock—getting close to my State of Oklahoma. TOM COTTON and JOHN BOOZMAN are most interested in this bridge. It is structurally deficient. It was built in 1961 to carry traffic over railroad tracks, 116,000 cars a day. And Arkansas is delaying projects because of uncertainty at the Federal level, so they are currently discussing gap financing for the I–30 project.

The Storrow Drive Bridge in Boston—I know Senators WARNER and MARKEY are very concerned about this. Built in 1951, this structurally deficient bridge carries 57,770 cars per day. The Storrow Drive Bridge earned its structurally deficient rating because of the corroding support beams that support one of many highly trafficked bridges in the Nation. Numerous costly interim repairs over the years have kept the artery open, but they are merely stopgaps until a longer term solution can be reached.

New Jersey, U.S. Highway 1 over the Passaic River. Herbert Hoover was President when this bridge was built in 1932, with an estimated design volume of 5,500 vehicles a day.

I am going to skip down to the Brooklyn Bridge. This bridge was actually built in 1883. It is structurally deficient. Of course we know the number

of cars that go over that. That was built in 1883. That is one that I dare say arguably everyone here has driven over, and every time you do, you wonder if you are going to get to the other side.

The other comparable bridge is the San Francisco Bay Bridge, which was built in 1936. The bridge is now functionally obsolete. Here is the concern about the bridge. A lot of smart people are saying this bridge, because of all the earthquakes out there, could collapse. Anyone who drives over is thinking: Is this going to be the time it takes place?

I talked to ROY BLUNT a few minutes ago. He was talking about the bridges in Missouri. The next chart I will show is from there. For some reason, Missouri and Oklahoma are two of the worst States in terms of the conditions of bridges, and we are both concerned about that. That is something people have to keep in mind.

I know others want to come down and get some time, but we are going to be talking about these, about the major projects.

What is unique about the bridges is we can't ensure the stability and safety of our bridges on short-term extensions. That is why we have gone since 2009 with 33 short-term extensions and many of these bridges have had no attention. The only way we are going to correct that problem is to do it with this DRIVE Act. Hopefully we will have the vote to advance that bill, and hopefully we will be able to get it through.

I want to repeat what I started off with. I don't criticize the Democrats who voted against the motion to proceed yesterday because they requested information and didn't get the information until 30 minutes before the vote took place. Even my counterpart on the left, BARBARA BOXER, voted against it at that time. I think most of those individuals should be supportive of this, certainly after seeing the bridges and construction that is necessary in their States. I am confident they will.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. HATCH. Mr. President, throughout the history of the Republic, certain decisive moments have fundamentally altered the national security of the United States. For good or for ill, these moments have defined eras of time and changed the course of history. These landmarks include President Roosevelt's decision to turn the United States into an arsenal of democracy to defeat fascism; President Truman's adoption of a strategy to confront communism and rebuild Europe; President Nixon's initiative to open up relations with China; and President Reagan's policies that led to the fall of the Soviet Union.

Other such moments reflect serious errors in judgment, mistakes that continue to echo today. One recent example is President Obama's decision to remove U.S. forces from Iraq prematurely. This shortsighted move squandered the gains of the surge and plunged Iraq into chaos, leading to the rise of the Islamic State. Another especially instructive example is in the Clinton administration's fumbled attempt to block North Korea's development of nuclear weapons. Back then, I came out strongly against the Agreed Framework with North Korea. Sure enough, that naive diplomatic effort created barely a speed bump, as the fanatical North Korean regime raced ahead in building a nuclear arsenal.

President Obama's nuclear deal was clearly one such landmark moment in American foreign policy, but the question remains: Is it a crowning achievement of American diplomacy or is it a grave mistake that we will all come to regret dearly? I think we have to find out.

Since the President's announcement of the agreement, I have endeavored to examine it carefully and thoroughly, and I look forward to the review process led by the chairman of the Foreign Relations Committee, who has promised a full and fair scrutiny of this particular deal.

Nevertheless, my initial review has raised serious questions about whether this agreement forecloses Iran's path to a nuclear weapon. If left unanswered, these concerns lead me to believe that this agreement could end up being a catastrophic mistake.

Time and again, the Obama administration has promised that this agreement will add stability to the region. However, the details lead me to believe that the deal will, in fact, seriously destabilize the region.

If the deal is implemented, $150 billion in Iranian assets that are currently frozen in the world's financial institutions will be once again made available to the regime, which is a prime benefactor of terrorist groups such as Hamas and Hezbollah. These terrorist groups continually threaten one of our closest allies, and of course that is Israel.

The fact that much of this money will be used to promote international terrorism is not even disputed by the Obama administration. Just this past weekend, President Obama's National Security Advisor, Susan Rice, stated: "We should expect that some portion of that money would go to the Iranian military and could be potentially used for the kinds of bad behavior that we've seen in the region up until now."

While I am troubled that the administration now uses a term such as "bad behavior" to describe international terrorism, Ms. Rice is undoubtedly right about where this money will go.

Michael Rubin of the American Enterprise Institute points out what happened when the European Union previously opened trade with Iran as an incentive for Tehran to moderate its behavior. Iran's response was to take "that hard currency windfall and put it disproportionately into its covert nuclear and ballistic missile program."

As such, by implementing this agreement, the United States will permit the financing of international terrorism not only against Americans but also against our closest allies, including Israel. But funding terrorism is just for starters. This agreement also removes the conventional arms embargo against Iran after 5 years. Reportedly, the Russians were particularly intent upon this clause. They stand to benefit if the Iranians spend some of their $150 billion windfall to buy Russian arms. In fact, Russia has already committed to sell them its highly sophisticated S–300 surface-to-air missile system. This highly capable weapon system could protect Iran's nuclear sites if the regime violates the agreement. Moreover, this agreement also lifts the ballistic missile embargo against Iran after 8 years. This is an incredibly troubling development.

My examination of the deal also brings into question whether the administration achieved our primary objective: preventing Iran from producing enough fissile material to build a nuclear weapon. For years Iranians have stockpiled advanced centrifuges to produce this material. Yet this deal does not force them to part with this critical equipment. In fact, after 8 years under this agreement, the Iranians will be able to begin building and stockpiling more than 200 advanced centrifuges a year.

Moreover, the means to deploy a nuclear device were not fully addressed by this deal. The agreement mentions that Iran will not pursue activities that could contribute to the design and development of a nuclear explosive device, but it fails to detail most of the specific tools, equipment, materials, and components that are necessary to manufacture and fabricate a nuclear explosive device.

This is not a done deal. Eleven weeks ago, 98 Senators voted for the Iran Nuclear Agreement Review Act. While far from perfect, this bipartisan legislation gave Congress a vital say in whether this Iran deal goes forward. Let us not waste this opportunity. Those who served before us did not shirk their responsibility to weigh in on the serious foreign policy decisions of their day.

I urge all of my colleagues in this great body to stand with me in examining this agreement with great caution about its implications for the security of the United States and our allies in the region.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. The Senate is in morning business.

Mr. BROWN. I thank the Chair. I ask unanimous consent to be joined in a colloquy with Senator MERKLEY of Oregon and Senator COONS of Delaware.

The PRESIDING OFFICER. Without objection, it is so ordered.

DODD-FRANK BILL

Mr. BROWN. Mr. President, during the financial crisis, $13 trillion in household wealth was erased. Nine million jobs were lost, and 5 million Americans, 5 million families and individuals lost their homes. The financial services industry has bounced back, and far too many American families have not.

While many in Washington may have forgotten the financial crisis, millions of Americans haven't forgotten how predatory lending practices contributed to the housing bubble and helped spark this crisis. For them, this was the crisis.

Unscrupulous lenders offered loans that required no documentation, loans with teaser interest rates that later spiked and undermined a borrower's ability to repay, and loans where borrowers never paid down their principal. Borrowers with these higher cost loans were foreclosed upon at almost triple the rate of borrowers with conforming 30-year fixed-rate mortgages.

The crisis revealed a host of other harmful practices, such as steering borrowers to affiliated companies, kickbacks for business referrals, inflated appraisals, and loan officer compensation based on the loan product that they peddled. These practices offered little benefit to the borrower. They were not about helping those families purchase a home they could afford. It is no coincidence that as borrowers' costs increased, so did loan officers' compensation.

These abuses didn't start in 2007 and in 2008. In many communities, predatory lenders began moving in a decade or more before the crisis.

In Ohio, the housing crisis was a slow burn rather than the boom and bust cycle that happened in States such as California and Arizona. From 1995 to 2009—think about this—my State of Ohio had 14 consecutive years where there were more foreclosures than the years before. For 14 years in a row, the number of foreclosures went up and up and up—14 years in a row.

My wife and I live just south of Slavic Village in Cleveland, ZIP Code 44105. I mention that ZIP Code because in 2007, that ZIP Code had the highest foreclosure rate of any ZIP Code in the United States of America. This wasn't because of speculation. This was a declining industrial base, and this was the kind of predatory lending that tended to settle and sink its talons into communities like Slavic Village. Government policies favoring finance over manufacturing caused steel mills across Northeast Ohio and the rest of the country to shut down and force people to look elsewhere for work. Between 2000 and 2010, the population of Slavic Village dropped 27 percent, down to 20,000 people, and then the subprime lending industry moved in. By 2006 more than 900 of Slavic Village's 3,000 properties—900 out of 3,000—were in foreclosure. If the home next door to you is foreclosed on and abandoned, you can bet the value of your home begins to decline 2 percent, 3 percent, 4 percent, and then the one across the street and then one down the street. One can see what happens to this neighborhood. One in three Ohioans in the height of the crisis—one in three Ohioans' mortgages were underwater. One in every seven mortgageholders was 30 days delinquent or in foreclosure.

Behind every foreclosure is a painful conversation. We don't think much about that here. We think of numbers, policies, and statistics. But imagine if you are a mother or father, and you have a 12-year-old or 13-year-old son and daughter. First, the mother loses her job. Things change around the house. You begin to cut back on things. You begin to take money out of the college fund to send your kid to Cuyahoga Community College. Then the husband loses his job. Then you have to have that discussion. There were 5 million discussions like these that went on in these homes where there were foreclosures. You have to explain to your son or daughter: We aren't going to be living here. We can't afford this house. We are leaving the neighborhood. You are probably going to a different school. We don't know where we are moving. We are going to have to find a new place to live. Maybe we are going to have to give away the family pet. There is a shelter in Parma, OH, that went from 200 to 2,000 dogs and cats that they were housing because so many people gave up their pets because of the foreclosures that so many families endured.

We came together as a result to pass Wall Street reform so families would no longer be forced to upend their lives because a mortgage company preyed upon them. Dodd-Frank established a commonsense rule that requires lenders to ensure that borrowers have the ability to repay their home loans. We created a consumer protection bureau to make sure that never again would consumers be an afterthought.

Much of the CFPB's important work has centered around mortgage regulation. Their rule to streamline forms will help inform consumers to understand what is happening at the closing table.

The ability to pay. A qualified mortgage rule balances the need for mortgage credit with the need of documentation of income and other borrower protections.

We know there is more to be done. We must ensure that small lenders and community institutions can remain competitive. We know how bank concentrations become more and more of a problem. We must provide homeowners with protections from a broken servicing model that has harmed so many of our communities. We must ensure broad access to affordable housing—the right thing to do for families and communities. We must move forward. We know there will be a clear choice.

As we move forward, we know there are two paths to follow. We can accept the false narrative that inaccurately blames low-income borrowers in the Federal programs, FHA, VA, to maintain their underwriting standards during the boom. In other words, we can blame the victim. We can say: Oh, it was the homeowners who caused this. It was the people who got the mortgages. It was all their fault. They weren't smart enough and they were so irresponsible. And we can blame the government because it is always the government's fault or we can recognize there were flawed incentives encouraged by a lack of regulatory oversight at the heart of our Nation's financial system—flawed incentives that made risk-taking more profitable, flawed incentives that increased loan officers' compensation when they made loans they should not have been making.

We can maintain the 30-year fixed mortgage that has made homeownership more affordable and given so many families an asset upon retirement. We can preserve a strong government role in the mortgage market, but instead too many in this body want to undermine the reforms that we put in place 5 years ago. Republicans and their allies in the financial industry fought Wall Street reform every step of the way. They have been attacking these consumer protections since the day they began.

We have to remember what a top financial services lobbyist said. The day the President signed Dodd-Frank, the top lobbyists in the financial industry said: Well, folks, today is half-time. Today is half-time, meaning, OK, we lost in Congress, but we are going to keep pushing these agencies. We are going to keep lobbying Congress. We are going to try to roll back these rules. We are going to stop these rules. We are going to dilute these rules and make them ineffective.

The bill my Republican colleagues today on the Appropriations Committee brought in—Senator COONS will talk about that. The bill the Republicans brought into Senator MERKLEY's and my banking committee isn't a narrower targeted effort at reform for

small banks. It is a sweeping overhaul that rolls back Wall Street reform. Once again, they want to undermine consumer protection. They want to use small Main Street institutions as cover, but in the end they want to allow special interests and their allies to undermine reform and leave the American people exposed to the problems that happened less than a decade ago. It is unconscionable that this abuse was ever allowed in the first place.

Senator MERKLEY, a leader on this issue, especially in the Volcker rule, will speak about his efforts and what he has seen in the past and particularly looking forward to the future about what we do about predatory loans and people and banks preying on consumers.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I appreciate the leadership of my colleague from Ohio, who has brought such a focus on ending predatory activities, helping our financial system work for working Americans. Indeed, that is certainly what all of our effort is about on the fifth anniversary of the Wall Street reform bill, the Dodd-Frank bill. My colleague was talking about the Humble Home mortgage, which was turned into a predatory instrument that instead of building the wealth of the middle class of America was designed to strip that wealth. There was the two-year teaser rates in which interest rates would go from 4 percent to 9 percent, more than doubling. Liar loan underwritings, in which the loan is way too large for a family, were given to a family just to reap the immediate benefits on behalf of the mortgage broker: the immediate commissions, steering payments and kickbacks that were paid to mortgage originators to steer their clients from the prime loan they qualified for into the subprime loan.

Now, thankfully, as the Senator from Ohio outlined, we have ended those predatory practices and we must not let those practices return.

Homeownership has been the foundation for middle-class wealth—homeownership, education, and good-paying jobs. We cannot take away homeownership as a significant part of the American dream, the dream to control your own space, the king or queen of your own castle, and certainly to build the equity that puts your family on a strong financial foundation.

Wall Street added to this particular story because they took these predatory teaser rate loans and put them into securities. One can think about securities as a box full of mortgages. Those mortgages generate a certain cashflow, and you sell the cashflow. That is what a security is. So these securities were only as strong as the mortgages that were in the security box, and those mortgages were deeply flawed. When the interest rate went from 4 percent to 9 percent, a family's payments doubled. They weren't able to make their payments because the underwriting had been inappropriate from the beginning, and they weren't able to get out of the loan because there was a prepayment penalty if they tried to get out of the loan. That was a steel trap that locked families into these inflated interest rates and eventually destroyed their finances. So we ended all that.

Think about what Wall Street did. They took these mortgages and set up a securities waterfall—AAA, AA, and so forth. They got ratings on these securities as if these home loans were the same sound, good home loans of the past, not these new steering payment, prepayment penalty teaser-rate loans that had started to become so common and such a different instrument. Wall Street said we will make a lot of money selling these securities.

Indeed, there were a couple other factors that came into play. Not only did credit agencies give them great ratings despite the underlying flaws, but there was also insurance that could be bought to protect the security in case it would fail. It was called a credit default swap or CDS. For a few cents you could buy insurance to make sure the security was good. Of course, insurance is only as strong as the insurance company behind it, and the purchasers didn't know the details of that because it went through the middlemen in Wall Street. It turned out that AIG, the American Insurance Group, was issuing this insurance in vast quantities, not doing what an insurance group normally does, which is set aside reserves to cover potential losses. Indeed, they were just on a short-term upward—hey, we can sell these insurance policies called CDS or credit default swaps for a ton of money for short-term profits and long-term irresponsibility.

So let's fast-forward from 2003, when the predatory loans came into popularity, and now we are in 2008 and mortgages are starting to fail, the securities are starting to fail, and then of course the insurance on those securities failed. Meanwhile, you have investment houses. For example, Lehman Brothers in 1998 had $28 billion in proprietary holdings, and by 2006 that had expanded to $313 billion against a capital base of just $18 billion in common equity. Think of that leverage—$313 billion in holdings and a base of $18 billion. That enormous leverage meant that if there was just a slight decline in the value of the products they were holding, then the whole firm was going to come tumbling down. Because these securities started to fail, they didn't have just a slight decline, they had a big decline. Suddenly, you have a major investment house, Lehman Brothers, out of business.

That sent shock waves through our entire financial enterprise because a lot of the financing—short-term financing—was done through 24-hour financial transactions called repurchase agreements or repo agreements. Repurchase agreements—you sell an asset for 24 hours, you get the money, you buy it back 24 hours later, and then you resell it. That means every 24 hours you have to come up with the cash to buy back this repo financing. When the underlying value started to go down, the company couldn't come up with the funds to execute the repurchase agreements, so they had to do a fire sale of their assets. Well, if they do a fire sale of their assets, that means for every other company that has similar products, the value of their products now goes down the tube overnight, and then they have problems. So you have a domino effect—a contagion that spreads through the financial industry.

Let's trace this back in simple circumstances. You had healthy homeowner loans, fully amortizing fair loans replaced by predatory teaser-rate loans leading to securities based on these faulty predatory mortgages. These securities became a major financial instrument. That financial instrument collapsed when the mortgages collapsed. There was a domino effect, a contagion that brought down our entire financial house.

The American worker was on the losing end of this house of cards. American workers lost their jobs. American workers lost their retirement savings. These American workers often lost their homes because after losing their jobs, they couldn't pay for their home or because the teaser-rate mortgage doubled in monthly payments, they couldn't make those monthly payments.

That type of destruction in which Wall Street casinos fared so well and American workers were so destroyed must not happen again. That is what the Wall Street reform bill is all about. On the fifth anniversary, we have ended through the Volcker rule the proprietary trading that was basically large hedge funds embodied within banks being essentially done on the backs of Federal deposit insurance; that is, the government was insuring the banks that were engaging in these highly leveraged hedge fund operations. That is just wrong.

If you want to operate a hedge fund, absolutely, get your investors, place your bets, and if you go down, the investors go down, but the banking system doesn't go down. We must not allow these highly leveraged hedge funds to be operating inside of our core banking system.

The phrase that was often used as we were working on this 5 years ago was ''Let's make banking boring again.'' Take deposits, make loans, and through those loans fuel the success of our families and our businesses. But if you want to be a high-risk investor, do it somewhere else.

That is the core story about shutting down the Wall Street casino. This is the Wall Street casino before the Dodd-Frank Wall Street reform bill: Sorry, we are closed; afterwards: Well, I am not sorry they are closed because we

have rebuilt a financial system designed to work for working Americans, and that is a good thing.

I look forward to turning this over to my colleague from Delaware.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Delaware.

Mr. COONS. Mr. President, I would like to thank my colleagues from Ohio and Oregon, as we come to the floor today to talk about the 5 years since the passage of the Wall Street reform bill—better known as Dodd-Frank—and what it has meant for our States and for our country.

It is no secret that Delaware, my home State, is also home to a very large financial services industry. The whole range of financial institutions—from small community banks and credit unions, to larger regional banks, to literally some of the largest banks in the world—has a home in my State and employs tens of thousands of my constituents.

So I understand it might be surprising to some to see me come to the floor and join my colleagues in defense of the broad and sweeping Wall Street reform bill that was enacted 5 years ago, but as a Democrat representing these workers in a State that benefits from a robust financial services industry, I also know how important strong, stable, secure, predictable capital markets and well-functioning and well-regulated financial services are to a healthy economy from which we can all benefit. If we don't have a bank we can trust, we can't get a loan or buy a home or finance an education—investments that can serve as foundations to a brighter future for our families. If we don't have robust capital markets, companies cannot get money they need to invest in people and products and services, in growth and in jobs.

If you think of a world without functioning or reliable financial services, you can picture money sitting useless, unaccessible under a mattress. Without the roadways—the banks and financial services—to connect it, this money cannot move and an economy cannot grow. Quite literally, everything grinds to a halt.

We don't have to look far to see an example of this sort of seizing up of a modern economy. Greece has recently experienced a devastating financial crisis where money stopped flowing into and out of their economy, banks limited the amount of cash people could take out, and the government prohibited people from sending money abroad. The result was widespread panic, disruption of day-to-day lives, and a deep distrust of banks and banking that will take a long time to heal.

Capital markets and financial services that are well regulated and well run are important to us all. That is why we have to do everything we can to protect them. They make up a critical part of our Nation's economic infrastructure and lay the foundation for economic recovery. But just as streets need traffic lights and sharp turns need speed limits and bridges need guardrails, so, too, financial systems need fair and enforceable regulations. The alternative is what we saw just 5 years ago—the near collapse of our economy.

When the 2008 financial crisis unfolded, I was a local elected official in Delaware, not a Senator. As our mortgage system, our banking system, and our markets collapsed, I saw the real wreckage in my own home community. I saw thousands of folks who lost their jobs, who lost their life savings, who lost their homes, and the painful and lasting impact on them and on our whole community.

The 2008 crisis proved that a poorly regulated market left everyone exposed to risk, from consumers to financial services workers. Worst of all, it sparked a widespread distrust in our economy and our banks both here at home and abroad that we are still working to recover from today. The devastation caused by the great recession proved our financial system needed stronger regulations to protect consumers, families, businesses, and to make sure our capital markets are liquid, trustworthy, and reliable globally to instill faith back into our economy and system.

So I believe it was in our national best interest for there to be adopted fair, predicable rules to make sure we could all drive on the road safely, metaphorically, regardless of what size car we drove or what side of the road we were driving on. That is why, 5 years ago, in the wake of the worst financial crisis since the Great Depression, Congress's groundbreaking Wall Street reforms needed to become law. Those reforms took important steps to strengthen the rules of the road and prevent another significant crisis for our economy.

Congress created an agency, the CFPB, or Consumer Financial Protection Bureau, with a simple important mission: to protect consumers from abusive financial products. By helping to ensure that consumers have accurate financial information about the risks and benefits of financial products, CFPB works to prevent risky lending practices. An essential feature of CFPB is that it is an independent agency with only one responsibility; that is, protecting consumers.

Second, Wall Street reform limited risky and unsafe investment practices at the highest levels of finance. It set strong capital standards so banks have a sturdy backstop in times of need and ensured that regulators have the tools to scrutinize banking practices that are far more complicated than ever before—in fact, at the very limits of what is capable of regulatory oversight.

Congress required banks to perform risk testing, to improve oversight and make sure they can withstand turbulence in the same way first responders are required to perform regular safety drills to make sure everything works properly in the case of a crisis or a fire. Banks are now required to make sure they have the protocols and the policies and the resources in place to respond effectively to a renewed financial crisis.

Last, the financial crisis made it clear that although there is much we can do to limit risk and protect consumers, banks—particularly big banks—can still fail. When they do, it is critical they are wound down, they are resolved, they are closed in a way that is responsible, does not spread contagion and harm the larger economy, and does not require an expensive taxpayer bailout. That is why Wall Street reform gave the government new abilities to responsibly wind down banks so they do not cause a financial earthquake, much in the way the government has done with smaller banks through the FDIC for more than 80 years.

While I believe these reforms took much needed steps toward making sure our financial system is strong and healthy, I also believe we can build upon these reforms.

One of its key authors, Senator Dodd, said just yesterday—former Senator and Chairman Dodd said just yesterday at a public event: It wasn't the Ten Commandments that was crafted; it was a law, and a law that needs to be improved.

I know it might be difficult to believe Democrats and Republicans can find common ground on Wall Street reform, but there are, in fact, changes we can agree on that will make sure these reforms protect consumers and financial services. For example, we ought to lighten the regulatory burden on community banks so smaller banks can provide lending that their neighborhoods really need to grow and thrive. That is why Senator MERKLEY and I have cosponsored Senator BROWN's important bill, the Community Lender Regulatory Relief and Protection Act, which would help smaller banks by streamlining exams, by helping credit unions develop more diverse sources of capital, and by reducing onerous privacy notification rules.

Many of the proposals in this bill have bipartisan support. I am eager to work with my colleagues to implement those and other improvements. But unfortunately, rather than looking for ways to strengthen and sustain the broad architecture of Wall Street reform, too many of our Republican colleagues have continued to try to roll back the clock. We have seen how Republicans in the House have continued efforts to dismantle these bills, in particular in recent appropriations legislation. They have supported significant, harmful cuts to the regulatory agencies that are charged with rulemaking and with oversight—the most important entities in the financial services realm. They have also tried to undermine and undercut the CFPB's independence.

Just today, Senate Republicans have proposed similarly misguided legislation. I plan to do everything I can to

protect those agencies and stop efforts to fundamentally undo important Wall Street reform.

It is time for my colleagues to stop proposing spending bills on a wide range of the subcommittees of the Appropriations Committee that have no chance of passing and that continue to push us closer to an inevitable government shutdown that would devastate our economy and I think cause real harm to our working families. I have heard those very same colleagues argue that by doing so, they are on the side of banks and they are on the side of increasing the forward growth of our economy and that is why they want to dismantle regulations. But what I hear from business leaders and bank leaders in my home State is that the biggest threat they face are more manufactured crises here in Congress that chip away at the confidence in the American economy that serves as a bedrock of our prosperity.

As the leading Democrat on the committee charged with overseeing the financial services funding bills here in the Senate, I think it is critical that we work together to improve Wall Street reforms where we can rather than reverse what progress we have made. Whether you are a Republican or a Democrat, a consumer or a banker, a CEO or a small business owner, a family member or a financial services worker, we can all agree that we do not want another financial crisis. Nobody wants another bailout to banks.

I strongly believe you can be pro-business, pro-financial services, and still believe in smart, strong, sensible regulation to keep everyone in our financial services system healthy and our overall system and economy safe. I believe a well-regulated financial system is critical to sustaining this sector into the future and ensuring that it is a trusted place for businesses and consumers to invest in from at home or abroad. A strong, secure, stable economy has long been the hallmark of America's global leadership, so I think we must work together to make sure it remains that way for decades to come.

Wall Street reform was the result of a lot of hard work and compromise just 5 years ago. I look forward to working with my colleagues to continue strengthening the financial rules of the road as we go further into the future together.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll:

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 4:28 p.m., recessed subject to the call of the Chair and reassembled at 6:19 p.m. when called to order by the Presiding Officer (Mr. PERDUE).

Mr. CORNYN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I move to proceed to the motion to reconsider vote No. 250, the vote by which cloture was not invoked on the motion to proceed to H.R. 22.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote on the motion to invoke cloture on the motion to proceed to H.R. 22.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 19, H.R. 22, an act to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mitch McConnell, Roger F. Wicker, Shelley Moore Capito, Rob Portman, John Cornyn, James M. Inhofe, Daniel Coats, John Boozman, Johnny Isakson, Pat Roberts, John Barrasso, Mike Rounds, Mike Crapo, Roy Blunt, Thom Tillis, Deb Fischer, Richard Burr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 22, Hire More Heroes Act of 2015, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Alaska (Ms. MURKOWSKI).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted ''yea.''

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 36, as follows:

[Rollcall Vote No. 251 Leg.]

YEAS—62

Alexander	Fischer	Moran
Ayotte	Flake	Nelson
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boxer	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Sanders
Coats	Hoeven	Sasse
Cochran	Inhofe	Schatz
Collins	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	King	Shaheen
Cotton	Kirk	Sullivan
Crapo	Klobuchar	Tester
Daines	Lankford	Thune
Donnelly	Leahy	Tillis
Durbin	Manchin	Vitter
Enzi	McCain	Whitehouse
Ernst	McCaskill	Wicker
Feinstein	McConnell	

NAYS—36

Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Rubio
Brown	Lee	Schumer
Cantwell	Markey	Shelby
Cardin	Menendez	Stabenow
Carper	Merkley	Toomey
Casey	Mikulski	Udall
Coons	Murphy	Warner
Cruz	Murray	Warren
Franken	Paul	Wyden

NOT VOTING—2

Boozman	Murkowski

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 36.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, upon reconsideration, the motion is agreed to.

HIRE MORE HEROES ACT OF 2015—MOTION TO PROCEED

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 19, H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

MORNING BUSINESS

RECOGNIZING THE 50TH ANNIVERSARY OF THE UNIVERSITY OF NEVADA LAS VEGAS SCHOOL OF NURSING

Mr. REID. Mr. President, I rise today to recognize the 50th anniversary of the University of Nevada, Las Vegas, UNLV, School of Nursing.

The UNLV School of Nursing has been an important part of Nevada's

health care system since it admitted its first class in 1965. The program was established in part because of a nursing shortage in the State of Nevada in the early 1960s. The nursing shortage, coupled with the State's sudden population growth, threatened to create an untenable situation for all Nevadans. Recognizing this, various stakeholders, including the Nevada Public Health Association, Nevada Nurses Association, and Nevada State Board of Nursing, worked to create the nursing school to fill vacant nursing positions throughout the State and provide quality nursing education to Nevada residents. The first graduating class included 19 students; and to date, more than 4,300 students have graduated from the UNLV School of Nursing.

In fulfilling its mission of providing an exceptional education to nursing students and meeting Nevada's health care needs, the UNLV School of Nursing has established a tradition of progress, innovation, and leadership. For instance, when the school first began, it only offered an associate degree program. Today, the school offers eleven academic programs. Additionally, the school began offering an online master's degree program in 2004. This program ranks among the top ten best online graduate nursing programs in the Nation. I am confident that the UNLV School of Nursing will continue to play a critical role in Nevada's health care system as it begins its next chapter.

I commend the UNLV School of Nursing on their 50th anniversary and applaud their exceptional service to the State of Nevada.

ADDITIONAL STATEMENTS

REAUTHORIZING THE HIGHER EDUCATION ACT

• Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my remarks at the American Enterprise Institute be printed in the RECORD.

There being no objection, the materials was ordered to be printed in the RECORD, as follows:

REAUTHORIZING THE HIGHER EDUCATION ACT

Thank you, Andrew. It's great to be here. It's great to be at AEI, an organization for which I have lots of respect. I also have great respect for our institutions for higher education. As Dr. Kelly said, I was once president of the University of Tennessee. That's harder than it looks. I remember on my first day on campus a faculty member came up to me, I was very enthusiastic that day, and she said, ''You have so much enthusiasm, you're reminding me of Clark Kerr.'' And I said, ''Well, thank you very much,'' because Clark Kerr was a distinguished president of the University of California. And I said, ''How is that?'' She said, ''You know, he arrived and left in the same way—fired with enthusiasm.'' It's a precarious existence, most college presidents will tell you.

I wrote an op-ed for the Wall Street Journal last week in which I urged fellow politicians and some pundits to stop telling students they cannot afford a college education. I noted that two years of community college are free or nearly free for low-income students, given that tuition and fees across the country average $3,300 and that the average Pell grant is about the same. Public 4-year colleges average about $9,000 in tuition and fees. I wrote that at the University of Tennessee, Knoxville, which is closer to $12,000, nearly every in-state freshman has a state Hope Scholarship, a third have Pell grants, and many have access to state aid. About 75 percent of all college students attend those public institutions.

Even many of the private elite colleges have programs to help families figure out what they can afford to borrow and then those institutions such as Georgetown University make up the difference. Many students borrow money for college, but the average 4-year graduate's debt is about $27,000—or roughly the same as the average new car loan. And for that investment, you get a college degree that the College Board still says will earn you $1 million dollars more over your lifetime than if you hadn't earned that degree. The problem, I explained in my op-ed, is that we need to grow the percentage of Americans with college degrees over the next 5 years—otherwise we're on track to fall short by 5 million workers with degrees. So politicians, in my view, should stop discouraging students from attending college—especially the low-income students who are likely to benefit most from federal aid, and may also be the most easily discouraged.

Well, on Tuesday, the Wall Street Journal ran letters to the editor in response to my op-ed. Here's a sampling from one: ''Lamar Alexander has been a politician so long that he no longer understands that money comes from working people who understand what is expensive, and four years of college plus living expenses is expensive.'' From another, ''The traditional system is unsustainable.'' From another ''Politicians should stop talking about a college 'premium' because the costs, even with all the subsidies, exceed the benefits for many.'' And another: ''It is counterintuitive to many politicians, but the more affordable they try to make higher education, the less affordable it will become.''

In other words—I hit a nerve.

But buried at the bottom of these letters published by the Wall Street Journal was this brief line from a woman in San Diego: ''Years ago'' she said, ''there was a bumper sticker: 'Think education is expensive? Try life without it!' '' Still holds true and always will.

I've always said that it is never easy to pay for college. It's just easier than most people think. And as we approach the reauthorization of the Higher Education Act in the Senate education Committee, I don't pretend that our system is not in need of reforms. But let's begin with the shared recognition that life without education is more expensive—and that the cost to our country will be great if we don't increase the number of Americans with post-secondary education and degrees.

So let's look at measures we can take as a federal government to encourage colleges to control their costs, operate more efficiently, help students graduate more quickly with less debt—and let's be sure that all these measures do nothing to challenge the autonomy and independence that is at the heart of our education system—the autonomy and independence that have driven our colleges and universities to create the best system of higher education in the world.

So I'd like to focus today on four goals for the reauthorization that we're working on: first: ending the overregulation of colleges and universities; second: ending the federal collection and dissemination of useless data; third: improving our accreditation system; and fourth: ensuring that institutions begin sharing in the risk of lending to students.

So let's take the first one—ending the overregulation of colleges. Now I'm here today as a Republican speaking to a generally conservative audience about reducing regulations—not a new idea for most of us. But there's an important distinction in this—we already have bipartisan support in the committee for reducing these regulations. Senator Mikulski, Senator Bennet, Senator Burr and I commissioned a report two years ago on higher education regulation by a task force of educators, and we asked for specific recommendations on how to reduce these regulations. We said, ''We don't want another sermon. Tell us exactly what we could do to reduce the regulatory burden.'' And we got back 59 recommendations, with 10 listed as priorities. A dozen of them are things that the U.S. Secretary of Education himself could do and the rest would require some sort of congressional action. We are currently working on legislation that adopts and implements many of the report's recommendations.

The report told us that the higher education system is entangled in, the report's words, a ''jungle of red tape'' and that every workday, each one of our 6,000 higher education institutions gets a letter or a guidance or a new rule from the U.S. Department of Education, on average. Every workday, every one of our institutions, 6,000 of them, get a letter or a guidance or a new rule from the US Department of Education that presumably changes their procedures.

Here are three examples of how that plays out in our colleges:

First, Vanderbilt University—because the chancellor of Vanderbilt was one of the co-chairs of our group making these recommendations and the other was the chancellor of the University of Maryland. So Vanderbilt hired the Boston Consulting Group to tell the university just how much it cost Vanderbilt to comply with Federal rules and regulations in one year, 2014, and the startling answer was $150 million—$11,000 per student. $11,000 is more than the average tuition in fees at public universities in the United States.

Second, here's the FAFSA form that 20 million Americans fill out every year. Some of you have seen it. This is the form 20 million Americans fill out every year in order to get a grant or loan to attend college. Now most people fill it out online, some financial aid officers disparage my doing this because they say it's not that hard to fill out. Maybe not for them, I mean they've been working on it for years. But I've talked to students who have literally burst into tears over the complexity of this thing. The president of a community college in Memphis told me he thinks he loses 1,500 students a semester because this is simply such an intimidating list of questions. We have testimony in our education committee that said those 108 questions could be reduced to two. One would be: what's the size of your family, and two would be: what's the size of your family income. That would answer 95 percent of the questions that the U.S. Department of Education needs to award federal student aid.

Third, the government hands out $24 billion in research dollars to colleges and universities through the National Institutes of Health. The National Academy of Sciences has a study group that's twice done a survey and both times found that 42 percent of a principal investigator's time with federally funded research is spent on administrative tasks. If we could reduce that 42 percent to 40 percent or 35 percent or 30 percent or 25

percent, we could free up hundreds of millions of dollars, maybe billions, for additional research. In other words, we can save time, energy, money, and encourage more college degrees if we reduce higher education regulations.

My second goal is ending the federal collection and dissemination of useless data.

We've had five hearings on higher education this year. Our third hearing was on consumer data. The federal government collects a lot of data from 6,000 institutions. At the hearing, I held up the data survey that each of our almost 1,000 public community colleges must fill out. It's similar to the surveys that the other 5,000 colleges fill out. This one was 426 pages of data requirements and reporting instructions, with 3,300 different necessary responses or inputs.

Then there are the federally mandated college consumer disclosures. Those require a 900-page binder to show what one university with two campuses is required to disclose to consumers. The law and regulations prescribe a dizzying variety of ways the different disclosures must be sent to current students and, upon request, the public items range from the useful and necessary—such as providing the terms and conditions of federal student aid to such things as informing students when Constitution Day is. Not only do I question what is really necessary—but more important, how much of this is useful to students making a college choice? Then, how might consumer information actually become useful for prospective students, and what better information may be needed? What requirements can we eliminate? And on a separate issue—once we've collected the right data, how good are we disseminating the data, at least in a way that you can understand it? The government has created tools—from the College Navigator to the College Scorecard—but the government is really not very good at doing this, and students aren't really actually using those tools very much to choose among colleges.

My third goal is to improve our accreditation system. We held a hearing on accreditation in the committee last month. I learned a lot, but our accreditation system has to improve because there is really no decent alternative. Congress can't monitor 6,000 colleges and universities. The Department of Education sure can't. Accreditation has to work.

Here are a few of the areas that I think could see improvement, and there seems to be some consensus about these:

Getting accreditors back to focusing on quality and not on all the other things Congress has asked accreditors to do over the years, such as reviewing fire codes and looking over an institution's finances.

Changing the geographic nature of today's accreditation system: There seems to be less validity today for having regional accreditation agencies exclusively. When I was president of the University of Tennessee I would look at the University of Illinois or the University of Michigan—the universities outside our region as peers.

Allowing accreditors to use more discretion in their oversight—in other words, using a lighter touch for some institutions. So accreditors can get more of their time and resources to institutions clearly in need of greater oversight and have a lighter touch on those that don't.

My last goal is ensuring that institutions begin sharing in the risk of lending to students. We know that some students today are borrowing more than they should. According to the Department of Education, of the more than 41 million borrowers with outstanding student debt, about 7 million, or 17 percent, are currently in default—meaning they haven't made a payment on their loans in at least 9 months. The total amount of loans currently in default is $108 billion or about 10 percent of the total outstanding balance of federal student loans. Although the Department says it eventually collects most of it.

One way to address over-borrowing is to ensure that colleges have some responsibility to, or vested interest in, encouraging students to borrow wisely, graduate on time, and be able to repay what they've been loaned. If colleges and universities have this incentive, it may not only help students make wiser decisions about how much to borrow, it could help reduce the cost of college—thereby reducing debt. For example, colleges might encourage students to complete their education more quickly.

Today nearly half of college students take longer than 6 years to complete any degree or certificate or never finish one at all. Completion is important—nearly 70 percent of those borrowers who default on their federal student loan never finished their education.

At The University of Tennessee Knoxville they're now saying to students, ''You can take less than 15 hours if you want to, but you're going to pay for 15 hours every semester whether you take it or not.'' That's three more than federal student aid requirements insist on. The chancellor told me not long ago that most students are taking 15 hours since they're paying for it anyway, and the graduation rate is edging up.

I have also encouraged colleges and universities to explore a three year degree. The more rapidly you move through the system, the less expense you have, and the quicker you get into an earning capacity.

I recently spoke at a graduation ceremony at Walters State Community College in Tennessee where one of the graduates was also graduating from high school that week. Getting both degrees, and also entering Purdue University as a second semester sophomore, saving that student an estimated $65,000. At another community college in Tennessee, 30 percent of the students at that community college are also in high school. There's a growing practice of what we call ''dual enrollment,'' and that permits students to spend less time and spend less money on college.

The President of George Washington University once told me, ''You could run two complete colleges here [at his campus] with two complete faculties, in the facilities now used half the year for one. That's without cutting the length of students' vacations, increasing class sizes or requiring faculty to teach more.'' One of the biggest wastes in higher education is the waste in the use of facilities. Dartmouth, for example, saves $10 to $15 million per year, it estimates, by requiring one mandatory summer session for its students. Southern New Hampshire University's College for America just began offering a $10,000 bachelor's degree.

So we are working on a way to give colleges some skin in the game. Senator REED of Rhode Island has a proposal. He wants to make colleges and universities responsible for a portion of defaulted loans of students. That's a framework worth considering. Others may have different ideas.

For me, what is clear is that as a matter of principle and fairness, all institutions—whether public, private or for-profit—should participate in this. I don't believe any institution should be exempt from those requirements that we may add to discourage over-borrowing and reduce college costs. But it might be appropriate to consider establishing multiple models of risk-sharing so that institutions with differing missions and student populations have different ways of complying. And we have to be very careful with risk-sharing. We're talking about lots of money. We're talking about loaning more than $100 billion a year. We're talking about $33 or $34 billion dollars a year to Pell Grants that you don't have to pay back. So if we, on the loaning of $100 billion dollars a year, take some step, it will have a big effect on the thousands institutions and millions of students across the country. We want to be sure that we think about what the unintended consequences might be.

Today, when I'm done, I'm going back to the floor of the Senate, where we are to complete work on our bill to fix No Child Left Behind, which I've worked on with Senator Patty Murray from Washington state, who is the senior Democrat on the committee. That bill expired 7 years ago. Congress has failed to fix it since then. I believe we're going to be successful this year. The House has passed its version. We will either pass our version today or early next week, and then we'll put it together with the House and send it to the president in a form that hopefully he can sign. This year we're going to fix it. Then we're going to turn our attention to a bipartisan Higher Education Act.

I'm going to work on it with Senator MURRAY the same way we worked on No Child Left Behind, which is that she and I will first write a proposal and submit it to our very diverse committee, which has 22 senators—Bernie Sanders and Elizabeth Warren on one end, Rand Paul and Tim Scott on the other end—so it's an interesting discussion we have every time we get together. Every single one voted to report our No Child Left Behind bill out of committee, which is a huge success.

But we've already got a bipartisan head start on the Higher Education Act in two or three ways. Senator Michael Bennett and I, and several senators of both parties have introduced what we call the FAST Act to make a number of changes to make it easier and simpler to apply for student aid. One of those ''common sense'' ideas in addition to simplifying the number of questions is to allow students to fill the form out in their junior year of high school. This form requires you to tell what your tax returns are before you file your tax returns, so it throws 20 million families into confusion. If you let people fill that out in their junior year of high school, then they can use tax forms from a prior year, and then they can have a full year to look at colleges and universities, knowing in advance how much in grants or loans they're eligible for.

So that FAST Act has been introduced and examined carefully. It has bipartisan support. We're planning to introduce legislation with as many of the recommendations of the Zeppos-Kirwan report on higher education on how to simplify regulations. That would be a bipartisan start.

Senator Burr, Senator Angus King, and a group of bipartisan senators have introduced legislation on simplifying the repayment form of student loans. There are 9 different ways of repaying your student loans. Actually, it's a very generous system. You can pay it off over ten years or by paying no more than 10 percent of your disposable income, and if that doesn't pay it off over twenty years, it's forgiven. But the process is so complicated that most students don't take advantage of it.

So there are three steps already that we've taken. And we have taken maybe the most important step of all, as we've worked together this year in the great bipartisan way on our committee to work on elementary and secondary education. There's no reason we can't continue with higher education.

I hope that Senator Murray and I can present our bill to the full committee in September. As we've done with No Child Left Behind, it will be a suggestion of how the

committee can work. And shortly thereafter, I hope that we will report it to the floor. Senator McConnell is very pleased with the debate on the Elementary and Secondary Education Act—the fact that we're working on something so important in a bipartisan way and want to get a result that's good for the country. He told me last night that he's very interested in our Higher Education Act and that he'll work to find floor time for it. So I'm very optimistic about that and look forward to it.

Thank you very much.●

RECOGNIZING PRATT & WHITNEY 90TH ANNIVERSARY

● Mr. BLUMENTHAL. Mr. President, I wish to recognize and congratulate Pratt & Whitney as it celebrates the 90th anniversary of its incorporation.

In 1925 Frederick Rentschler arrived at the old Pope-Hartford auto plant on Capitol Avenue in Hartford, CT with a simple, yet groundbreaking idea: build a new and better aircraft engine. In the beginning, such a lofty goal seemed out of reach. Rentschler had just 24 employees, barely any equipment and a modest amount of money. But Rentschler was able to create a name for Pratt & Whitney by placing a great value on integrity, customer service, and product quality.

From its humble beginnings in that old auto plant in Hartford, Pratt & Whitney has grown to be a world leader in the design and manufacture of military and commercial aircraft engines. For over 90 years, Pratt & Whitney has stayed true to this pioneering spirit and passion for excellence, continually working to revolutionize the aviation industry and build a better engine for tomorrow.

Throughout its storied history, Pratt & Whitney has always answered its country's call. During World War II, the company reduced its prices for the U.S. Navy to contribute to the war effort. Today Pratt is still operating a culture of cost reduction and producing the power for some of the most formidable aircraft in American history with versatile products like the F–135 engine. And now Pratt is answering President Obama's call to combat the threat of climate change and keep future generations safe. With its breakthrough technologies like the Geared Turbofan engine, Pratt is raising the industry standard for emissions efficiency.

Pratt & Whitney has continued to stay true to its roots as a Connecticut company. For generations now, Pratt & Whitney has provided secure career opportunities to workers in my State. Pratt & Whitney's legacy of dependability and leadership in innovation have helped to make Connecticut's defense manufacturing industry second to none. I am proud and thankful for Pratt's investments in the State of Connecticut and its contributions to our country's national security, and I remain committed to supporting the jobs created by Pratt & Whitney. As I continue to serve in the Senate, I will continue to work to protect our national defense programs.

While other aircraft companies have come and gone, Pratt & Whitney has proven that it can stand the test of time.●

TRIBUTE TO STAFF SERGEANT JOSEPH FONTENOT

● Mr. VITTER. Mr. President, today I wish to honor SSG Joseph Fontenot of Larose, LA, who is winner of the 2015 Army Times Soldier of the Year. Fontenot is currently stationed in Fort Campbell, KY, as a field artilleryman assigned to the 3rd Battalion, 320th Field Artillery Regiment, part of the 101st Airborne Division 3rd Brigade Combat Team.

Joseph Fontenot's experience with the military began while he was on tour with his rock band, Jacknife. At 31, following a conversation with a National Guard soldier, Fontenot decided to put away his bass guitar and to begin serving his country as a soldier in the Army. After joining the Army in January 2006, Fontenot made the decision to develop his leadership abilities. Through help from his mentor, he challenged himself to push his limits both mentally and physically.

In 2008, Fontenot deployed to Baghdad, Iraq for a year-long tour. In 2010, he was redeployed to the Arghandab River Valley, and bravely served in one of the most dangerous stations in southern Afghanistan. The experiences there along with the loss of fallen compatriots and friends strengthened Fontenot's commitment to the Army and bolstered his resolve to continue onward. Since 2012, he has served as drill sergeant where his outstanding commitment led him to be chosen to serve at the U.S. Army Drill Sergeant Academy.

Fontenot's accomplishments, however, extend far beyond his military aptitude. Not only is he a frequent volunteer at the local veterans' hospital and homeless children's center, he also participates in Camp Kemo, a program for children battling cancer.

Fontenot's continued dedication and leadership were noticed by his peers, who nominated him for the 15th Annual Army Times Soldier of the Year Award for his exemplary leadership. In February 2015, Fontenot rescued a young man in need whose car had crashed into a canal. Despite the freezing temperatures, Fontenot jumped into the water and pulled the man from his car.

SSG Joseph Fontenot is a man of true courage. I am honored and humbled to share his heroism, and I thank him for his services to our country.●

MESSAGE FROM THE HOUSE

The President pro tempore (Mr. HATCH) reported that on today, July 22, 2015, he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

S. 971. An act to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

S. 984. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

At 12:34 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 237. An act to authorize the revocation or denial of passports and passport cards to individuals affiliated with foreign terrorist organizations, and for other purposes.

H.R. 1557. An act to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal government, and for other purposes.

H.R. 2256. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration, to provide for the identification and tracking of biological implants used in Department of Veterans Affairs facilities, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 237. An act to authorize the revocation or denial of passports and passport cards to individuals affiliated with foreign terrorist organizations, and for other purposes; to the Committee on Foreign Relations.

H.R. 1557. An act to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2256. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration, to provide for the identification and tracking of biological implants used in Department of Veterans Affairs facilities, and for other purposes; to the Committee on Veterans' Affairs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 22, 2015, she had presented to the President of the United States the following enrolled bills:

S. 971. An act to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

S. 984. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories

for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2348. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Use of Lump Sum Payments to Replace Lifetime Income Being Received by Retirees Under Defined Benefit Pension Plans'' (Notice 2015–49) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Finance.

EC–2349. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Coverage of Certain Preventive Services Under the Affordable Care Act'' ((RIN1545–BJ58, RIN1545–BM37, and RIN1545–BM39) (TD 9726)) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Finance.

EC–2350. A communication from the Under Secretary of Defense (Intelligence), transmitting, pursuant to law, a fiscal year 2014 report relative to data mining (OSS–2015–1001); to the Committee on Armed Services.

EC–2351. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–0944); to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1297. A bill to update the Commercial Space Launch Act by amending title 51, United States Code, to promote competitiveness of the U.S. commercial space sector, and for other purposes (Rept. No. 114–88).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for himself and Mr. HELLER):

S. 1825. A bill to require the Secretary of Energy to obtain the consent of affected State and local governments before making an expenditure from the Nuclear Waste Fund for a nuclear waste repository; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. CORNYN):

S. 1826. A bill to designate the facility of the United States Postal Service located at 99 West 2nd Street in Fond du Lac, Wisconsin, as the Lieutenant Colonel James ''Maggie'' Megellas Post Office; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 1827. A bill to amend the Internal Revenue Code of 1986 to improve the tax treatment of small businesses; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. WARNER, Ms. MIKULSKI, Mr. COATS, Ms. AYOTTE, and Mrs. MCCASKILL):

S. 1828. A bill to strengthen the ability of the Secretary of Homeland Security to detect and prevent intrusions against, and to use countermeasures to protect, government agency information systems and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 1829. A bill to require a report on requirements and risks in connection with the use of radioisotopic power systems for space exploration beyond low-Earth orbit; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself and Ms. STABENOW):

S. 1830. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. TOOMEY (for himself and Mr. BLUMENTHAL):

S. 1831. A bill to revise section 48 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. SANDERS (for himself and Mr. MARKEY):

S. 1832. A bill to provide for increases in the Federal minimum wage; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 1833. A bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mrs. BOXER, Mr. DURBIN, Mr. MARKEY, Ms. WARREN, Mrs. GILLIBRAND, Ms. MIKULSKI, Mr. KAINE, Mrs. MURRAY, Ms. HIRONO, and Ms. BALDWIN):

S. 1834. A bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes; to the Committee on the Judiciary.

By Ms. BALDWIN:

S. 1835. A bill to enhance military facilities force protection; to the Committee on Armed Services.

By Mr. LANKFORD:

S. 1836. A bill to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 1837. A bill to provide drought assistance and improved water supply reliability to the State of California, other western States, and the Nation; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. UDALL):

S. 1838. A bill to amend the Federal Election Campaign Act of 1971 to clarify the treatment of coordinated expenditures as contributions to candidates, and for other purposes; to the Committee on Rules and Administration.

By Mr. PAUL:

S. 1839. A bill to amend titles 10 and 18, to permit members of the Armed Forces to possess firearms on military installations in accordance with applicable State law, and for other purposes; to the Committee on Armed Services.

By Mr. CORNYN (for himself, Mr. TOOMEY, Mr. CRAPO, and Mr. LEE):

S. 1840. A bill to amend title 11, United States Code, to provide for the liquidation, reorganization, or recapitalization of a covered financial corporation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORNYN (for himself and Mr. TOOMEY):

S. 1841. A bill to amend title 11, United States Code, to provide for the liquidation, reorganization, or recapitalization of a covered financial corporation, and for other purposes; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself, Mr. JOHNSON, Mr. COTTON, Mr. INHOFE, and Mr. CRUZ):

S. 1842. A bill to ensure State and local compliance with all Federal immigration detainers on aliens in custody and for other purposes; to the Committee on the Judiciary.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 1843. A bill to enhance communication between Federal, State, tribal, and local jurisdictions and to ensure the rapid and effective deportation of certain criminal aliens; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. VITTER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 51, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 271

At the request of Mr. REID, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 299

At the request of Mr. FLAKE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 299, a bill to allow travel between the United States and Cuba.

S. 330

At the request of Mr. HELLER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 571

At the request of Mr. INHOFE, the names of the Senator from North Carolina (Mr. BURR), the Senator from Alabama (Mr. SESSIONS) and the Senator

from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 586

At the request of Mrs. SHAHEEN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 586, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

S. 779

At the request of Mr. CORNYN, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 779, a bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency.

S. 898

At the request of Mr. KIRK, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 898, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 946

At the request of Mr. KIRK, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 946, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another.

S. 1020

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1082

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. HATCH), the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1466

At the request of Mr. KIRK, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1466, a bill to amend title XVIII of the Social Security Act to modify payment under the Medicare program for outpatient department procedures that utilize drugs as supplies, and for other purposes.

S. 1532

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1532, a bill to ensure timely access to affordable birth control for women.

S. 1584

At the request of Mr. CASSIDY, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1584, a bill to repeal the renewable fuel standard.

S. 1632

At the request of Ms. COLLINS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1632, a bill to require a regional strategy to address the threat posed by Boko Haram.

S. 1789

At the request of Mr. RUBIO, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1789, a bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

S. 1810

At the request of Mr. VITTER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1810, a bill to apply the provisions of the Patient Protection and Affordable Care Act to Congressional members and members of the executive branch.

AMENDMENT NO. 2267

At the request of Mr. MANCHIN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 2267 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself and Mr. HELLER):

S. 1825. A bill to require the Secretary of Energy to obtain the consent of affected State and local governments before making an expenditure from the Nuclear Waste Fund for a nuclear waste repository; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1825

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 ''Nuclear Waste Informed Consent Act''.

SEC. 2. DEFINITIONS.

In this Act, the terms ''affected Indian tribe'', ''affected unit of local government'', ''Commission'', ''high-level radioactive waste'', ''repository'', ''spent nuclear fuel'', and ''unit of general local government'' have the meanings given the terms in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

SEC. 3. CONSENT BASED APPROVAL.

(a) IN GENERAL.—The Secretary may not make an expenditure from the Nuclear Waste Fund for the costs of the activities described in paragraphs (4) and (5) of section 302(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(d)) unless the Secretary has entered into an agreement to host a repository with—

(1) the Governor of the State in which the repository is proposed to be located;

(2) each affected unit of local government;

(3) any unit of general local government contiguous to the affected unit of local government if spent nuclear fuel or high-level radioactive waste will be transported through that unit of general local government for disposal at the repository; and

(4) each affected Indian tribe.

(b) CONDITIONS ON AGREEMENT.—Any agreement to host a repository under this Act—

(1) shall be in writing and signed by all parties;

(2) shall be binding on the parties; and

(3) shall not be amended or revoked except by mutual agreement of the parties.

By Ms. COLLINS (for herself, Mr. WARNER, Ms. MIKULSKI, Mr. COATS, Ms. AYOTTE, and Mrs. MCCASKILL):

S. 1828. A bill to strengthen the ability of the Secretary of Homeland Security to detect and prevent intrusions against, and to use countermeasures to protect, government agency information systems and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, I rise today to introduce the Federal Information Security Management Act of 2015. I am very pleased that Senator WARNER, Senator MIKULSKI, Senator COATS, Senator AYOTTE, and Senator MCCASKILL are joining me in this bipartisan effort to strengthen cyber security in Federal agencies. I very much appreciate their input into this bill and their support.

The cyber attack that stole sensitive personal data from millions of current, former, and retired Federal employees from the poorly secured databases at the Office of Personnel Management

underscores the extraordinary vulnerability of our Federal computer networks, but for the more than 21 million Americans affected and indeed for our country, the threat from this theft continues. Whether it is the risk to the individual of identity theft or the impact on our Nation of the compromise of the identity of those dealing with classified information or the potential for espionage or blackmail, the threat remains extremely serious.

Worst of all, better security of computer networks at OPM might well have prevented this terrible breach. The negligence of OPM officials who ignored repeated warnings over years from the inspector general that its networks were vulnerable is inexcusable. As the FBI Director testified before the Intelligence Committee during an open session earlier this month, this breach is a huge deal and represents a treasure trove of information for potential adversaries.

But this cyber attack also points to a broader problem, and that is the glaring gap in the process for protecting sensitive information in Federal civilian agencies. Thus, we join together today to introduce this bipartisan bill.

Our bill would strengthen the security of the networks of Federal civilian agencies by taking five important steps:

First, our bill would allow the Secretary of Homeland Security to operate intrusion detection and prevention capabilities on all Federal agencies on the dot-gov domain without waiting for a request from every single agency.

Today, if an agency is uncooperative with DHS or simply does not want to make cyber security a priority, there is little that can be done to strengthen that agency's vulnerable network. I have visited the center at DHS that monitors some of the civilian networks. You could see the attempted intrusions in real time. Yet, I was told by some of the officials there that when they call the chief information official of that agency, sometimes the answer is very lackadaisical, almost indifferent. That cannot be allowed to continue.

Second, our bill directs the Secretary of Homeland Security to conduct risk assessments of any network within the dot-gov domain. This provision would ensure that no Federal agency can be unaware if it is operating an insufficiently secured network and thus jeopardizing sensitive data.

Third, our bill would allow the Secretary of Homeland Security to operate defensive countermeasures on these networks once a cyber threat has been detected. Currently, DHS can deploy technical assistance to agencies to diagnose and mitigate cyber threats only at that agency's discretion, and sometimes there are legal impediments for doing so.

Fourth, our bill would strengthen and streamline the authorities that Congress gave to DHS last year to issue binding operational directives to Federal agencies, especially to respond to substantial cyber security threats or in an emergency where an intrusion is underway.

Finally, while DHS oversees the protection of Federal civilian networks, the Office of Management and Budget has the ultimate responsibility to enforce governmentwide cyber security standards for civilian agencies. Our bill would require OMB to report to Congress annually on the extent to which OMB has exercised its existing authority to enforce governmentwide cyber security standards.

Congress has already given the OMB the authority, for example, to recommend increases or decreases in an agency's funding or to exercise administrative control over information resources if such actions could increase the degree of compliance with cyber security standards. But I regret to say that the evidence that OMB has actually exercised this authority is pretty slim.

The primary problem our bill would solve is that DHS has the mandate to protect the civilian Federal networks, but it has only limited authority to do so. Now, as the Presiding Officer is well aware, this approach stands in stark contrast to how the National Security Agency defends the dot-mil domain.

By the way, our legislation does not affect the dot-mil domain—which covers the Department of Defense and our intelligence agencies—in any way. The Director of the NSA has the responsibility to protect the dot-mil domain, but he also has the authority from the Secretary of Defense to monitor all DOD networks and to deploy countermeasures when necessary. If the Director deems that an agency's network is insecure, he can shut it down. Contrast that to the inspector general at OPM, who last fall issued a report saying that OPM ought to shut down parts of its network because it was so insecure, and nothing happened. OPM didn't take any action and DHS lacked the authority to do so. That stands in sharp contrast to how we protect our defense and intelligence agencies' networks. As a result, our military and intelligence networks are better protected from foreign adversaries than our civilian agencies' networks.

Although the Secretary of Homeland Security is tasked with a similar responsibility to protect Federal civilian networks, he has far less authority to accomplish that task. Yet—think about it—Federal civilian agencies such as OPM, the IRS, the Social Security Administration, Medicare, and the Patent Office are the repositories of vast quantities of sensitive, personal, and economic data belonging to the American people. We have to do a better job of protecting that data as well.

When the Intelligence Committee on which I served asked the current Director of NSA how we might improve the protection of the dot-gov domain, he emphasized the importance of providing the authority commensurate with the responsibility for protecting civilian agency networks.

The Secretary of Homeland Security, Jeh Johnson, similarly said that obtaining clear, congressional authorization for DHS to deploy protective capabilities to secure civilian agencies' networks is one of his priorities.

I heard the same message from his predecessor, Secretary Janet Napolitano, when I was the ranking member of the homeland security committee in 2012.

By the way, that year former Senator Joe Lieberman and I urged our colleagues to pass the Cybersecurity Act of 2012, which we drafted and which included, among other provisions, major reforms to improve the protection of Federal networks. We will never know if the OPM breach that compromised the security clearance background information of more than 21 million people could have been prevented if the Senate had passed our bill at that time. Of course, no bill, no law can protect against every cyber breach, but I believe we would have been far better positioned had we acted then.

What we do know is that once a malware signature is identified, it was DHS's intrusion detection system—known as EINSTEIN—and other DHS-recommended tools that played key roles in identifying the massive compromise of the OPM data. Without these tools, OPM might still be blissfully unaware that it had been subjected to a major hack.

The government's response to the breach demonstrates the urgent need for our legislation. The five agency networks that were monitored by EINSTEIN 3 were protected and capable of blocking the malware the moment the dangerous signatures used in the OPM breach were loaded into their systems. For every other civilian agency, however, that was not the case. DHS had to call the chief information officer responsible for every one of those networks that were not covered yet by the EINSTEIN 3 system. Then the bad indicators had to be passed on to each CIO, and each CIO had to search their agency networks for the harmful malware. Cyber threats move at the speed of light. No organization that takes cyber security seriously would rely upon a game of telephone tag to guard the security of its information.

I also note that at the time the OPM breach actually occurred, the latest version of EINSTEIN had been deployed on less than 25 percent of the dot-gov network. So even if the government had detected the malware immediately, the government's ability to protect all of the networks would have taken that much longer because DHS's best intrusion system was not deployed widely enough. And, inexplicably, to this day, it is still not installed at OPM despite the information it stores as the chief employment office for millions of Federal employees and retirees.

If we fail to give these much needed authorities to DHS, the unacceptable

status quo will prevail. Under the status quo, each agency—however competently or incompetently—monitors its own networks and only asks DHS for assistance if it sees fit to do so. Let me describe just how poorly that approach has worked so far.

We know that information security incidents in the Federal Government have increased more than twelvefold—from 5,500 in fiscal year 2006 to more than 67,000 in fiscal year 2014 according to the Government Accountability Office. That undoubtedly understates the real number since these are just the incidents of which we are aware. Nineteen of twenty-four major agencies have declared cyber security as a significant deficiency or material weakness for financial reporting purposes. At the same time, Federal agencies have failed to implement hundreds of recommendations from the GAO and inspectors general that could enhance the security of their networks.

I could go on and on, citing the breach at IRS, at the Postal Service, at FAA, at NOAA, not to mention the OPM breach. It is unacceptable that we are putting important data belonging to the American people as well as our economic edge at risk. We simply have to take action now.

It is incredible that OPM implausibly asserted earlier this month that ''there is no information at this time to suggest any misuse or further dissemination of the information that was stolen from OPM's systems.'' That incredible statement, which implied that the perpetrators of this lengthy and extensive attack have no intention of ever using the stolen data, suggests that OPM still has yet to recognize the gravity of this cyber attack.

But Congress also has the responsibility to make the job for those securing our Federal civilian networks easier to do in light of the extraordinary threat that foreign adversaries, international criminal gangs, and other hackers pose to government systems and the privacy and safety of our citizens. This bill is the first of many steps to strengthen our Nation's cyber security, and I urge my colleagues to support this bipartisan measure.

Mr. WARNER. Mr. President, I rise today to speak on the Federal Information Security Management Reform Act, FISMA Reform, of 2015, which I introduced today with Senator COLLINS, Senator MIKULSKI, Senator COATS, Senator AYOTTE, and Senator MCCASKILL. This legislation will give the Department of Homeland Security the power to make sure that civilian government agencies—like OPM—have adequate cyber defenses against these kinds of attacks.

Cyberattacks present one of the most critical national and economic threats that this Nation faces. As the FBI Director recently stated, there are two types of companies in the U.S.—those that have been hacked by China, and those that do not yet know they have been hacked.

Estimates by the Center for Strategic and International Studies indicate that cyberattacks and cybercrime account for between $24 and as much as $120 billion in economic and intellectual property loss per year in the U.S. That is the equivalent of .2 to .8 percent of our GDP. The same CSIS study suggests that $100 billion in losses due to cyberattacks is the equivalent of over half a million lost U.S. jobs.

As we have seen with the OPM cyberattack, more than 22 million Federal employees, retirees and applicants had their personal data stolen, including—most troublingly—information on their security clearance background investigations. The scope of this breach was unprecedented. As the FBI Director told the Intelligence Committee recently, this is a ''huge deal'' and represents a treasure trove of information for potential adversaries.

But this is a serious problem that isn't limited to government, as we have already seen with recent breaches involving Anthem, CareFirst, Target, Neiman Marcus, Home Depot, and banks like J.P. Morgan, just to name a few. Both the private and public sector need to be better prepared for an increasing number of these cyberattacks.

To figure out how to protect consumers' financial data, last year I held the first hearing in Congress into data breaches in the aftermath of the Target breach.

One takeaway was how much more serious private sector and government entities need to be in investing in infrastructure and talent to secure their systems from cyberattack and breach. While there is always a risk of breaches, we can significantly mitigate those risks by increasing our ability to detect and respond to attacks.

I also believe we must get serious about passing cybersecurity legislation. This is also why I supported the Cyber Information Sharing Act (CISA) that passed in the Senate Intelligence Committee 14–1 in March.

A couple years ago, Senators Lieberman and COLLINS had a comprehensive cybersecurity bill which was unable to pass in the Senate. Unfortunately, when the bill did not pass, so did many of the good-government provisions such as strengthening the ability of the government to protect the ''Dot-gov'' infrastructure. While some of the language in the Lieberman-Collins bill regarding the DHS's role in cybersecurity did make it into law in December 2014, these changes did not go far enough.

That is why today I have introduced with Senator COLLINS, Senator MIKULSKI, Senator COATS, Senator AYOTTE and Senator MCCASKILL the Federal Information Security Management Reform Act, FISMRA, of 2015. This legislation would give the DHS strengthened authorities to enforce standards, employ cyber threat detection technology and defensive countermeasures, and to conduct threat and vulnerability analyses across all civilian U.S. Government agencies. Our bill would affect federal agencies only, except defense and intelligence agencies, not the private sector.

The basic problem with protecting U.S. Government information systems is that while DHS has the responsibility to protect the ''Dot-gov'' domain, right now it does not have the ''teeth'' to actually enforce security standards or fix vulnerabilities. It is likely that if the DHS had the additional authorities we are proposing this could have helped to discover the OPM breach sooner. In fact, OPM only discovered the breach after implementing a cybersecurity tool that was recommended by the DHS.

Our bill would give the DHS secretary the authority to direct—not request—that agencies undertake needed corrective actions to protect their cyber and information systems. Now, some government agencies systems may already be pretty good—so the DHS may not need to issue them directives. But I also know that we are not where we want to be.

While the breach at OPM was and continues to be devastating to those federal employees who are affected, we need to remember that cybersecurity is not just an issue at OPM. A recent article in the New York Times quoted the President's cyber advisor, Michael Daniels, as saying ''it's safe to say that federal agencies are not where we want them to be across the board,'' that the bureaucracy needed a ''mind-set shift,'' that would put cybersecurity at the top of their list of priorities, and that ''we clearly need to be moving faster.''

Likewise, a recent audit of the Federal Aviation Administration's network in January cited ''significant security control weaknesses . . . placing the safe and uninterrupted operation of the nation's air traffic control system at increased and unnecessary risk.'' The FAA's former chief information security officer told the press that he had been frustrated by the failure to address obvious security holes in its most important networks.

Similarly, at the Department of Energy's network that contains sensitive information on critical infrastructure and nuclear propulsion, investigators found ''numerous holes,'' according to the New York Times.

At the IRS network, auditors found 69 vulnerabilities.

I believe it is not a matter of if, but of when government systems will again be hit by a major cyberattack. And that is why I believe we cannot wait to give one primary entity the authority—especially when it already has the responsibility—to ensure that all ''Dot-gov'' government agencies meet robust cybersecurity standards, and that they are able to deploy tools and technology across the government to detect and prevent cyberattacks like the ones we saw at OPM. The Department of Homeland Security is such an entity.

I know that some of my colleagues have argued that the NSA is the best in

government at countering the cyber threat. I think that the NSA's capabilities are impressive. They do an excellent job protecting our defense and intelligence information systems. However, it would be unfeasible to put the NSA in charge of the United States' civilian cybersecurity.

DHS cyber capabilities have been steadily improving. It is deploying innovative tools like EINSTEIN 3A. It has an extremely capable National Cybersecurity and Communications Integration Center, NCCIC, located in Virginia, that already detects threats and promotes information sharing with industries through the so-called ISACs, Information Sharing and Analysis Centers, that cover a range of industries from Aviation, Defense Industries, the Financial and Banking sectors, Electricity, IT, Communications and others.

As DHS Secretary Jeh Johnson recently stated: ''Legally, each agency and department head has the responsibility for their own system—legally, and I stress that to my colleagues. We have the responsibility for the overall protection of the Federal civilian dot-gov world [. . .] [W]here we need help in protecting Federal cybersecurity is legal—making express our legal authority to receive information from other departments and governments. [. . .] [W]e want the express legal authority to make it plain that when we utilize things like EINSTEIN, EINSTEIN 3A, those other agencies are authorized to share information with us, to give us access to our network.''

In short, this bill would allow DHS—which already has the responsibility to protect ''Dot-gov'' networks—the authority and the ability to deploy tools and technology across the government to proactively detect and prevent cyberattacks like the ones we saw at OPM. The alternative is continuing the status quo, where each agency—no matter how poorly—monitors its own networks and only asks for outside assistance when it feels like it. That doesn't work. I urge my colleagues to join us in supporting this bipartisan bill.

By Mr. LEAHY (for himself and Mr. UDALL):

S. 1838. A bill to amend the Federal Election Campaign Act of 1971 to clarify the treatment of coordinated expenditures as contributions to candidates, and for other purposes; to the Committee on Rules and Administration.

Mr. LEAHY. Mr. President, although we are still a year and a half from the next presidential election, our perpetual campaign cycle already seems to be in full swing. Among the many troubling trends we are seeing is the rise of ''independent'' super PACs that support candidates. These super PACs are supposed to operate completely independent from the candidates' campaigns, but no one believes this to be true. It is the worst kept secret in America.

A July 6, 2015, article in the Washington Post entitled ''It's bold, but legal: How campaigns and their super PAC backers work together'' documents just how easily these super PACs and campaigns coordinate their messages and skirt the rules. As the author notes:

> For the first time, nearly every top presidential hopeful has a personalized super PAC that can raise unlimited sums and is run by close associates or former aides. Many also are being boosted by nonprofits, which do not have to disclose their donors.
>
> The boldness of the candidates has elevated the importance of wealthy donors to even greater heights than in the last White House contest, when super PACs and nonprofits reported spending more than $1 billion on federal races. Although they are not supposed to coordinate directly with their independent allies, candidates are finding creative ways to work in concert with them.

Five years ago, in Citizens United v. FEC, five justices on the Supreme Court departed from principles of judicial restraint and decided to overturn an act of Congress under the broadest grounds possible. In so doing, they overruled a century of practice and decades of doctrine. The Court declared that corporations have a First Amendment right to spend endlessly to finance and influence our elections. This precedent then led to another court decision—SpeechNow.org v. FEC—in the D.C. Circuit that resulted in the creation of the super PAC. Super PACs are supposed to be independent expenditure-only committees, and may raise unlimited sums of money from corporations, unions, associations and individuals, then spend unlimited sums to advocate for or against political candidates. But nobody believes that they truly act independently.

That is why I am introducing the Stop Super PAC-Candidate Coordination Act today. This bill would end the sham practice of presidential candidates boldly and shamelessly exploiting our campaign finance laws by coordinating with allegedly independent super PACs.

First, the bill codifies a definition of what constitutes ''coordination'' based on Supreme Court case law to make it more difficult for coordination to occur. Second, it prohibits outside groups from skirting the coordination provisions by stating that they cannot simply create a ''firewall'' and claim that the there is an independent division that is making independent expenditures. Third, it prevents single-candidate super PACs from acting as an arm of the candidates' campaign. It does this by including factors of when a super PAC should be deemed a ''coordinated spender.'' Once the super PAC falls into this category, the super PACs expenditures are then considered to be ''coordinated expenditures'' and the super PAC is subject to Federal contribution limits and prohibitions. Under existing law, coordinated expenditures are defined as also being in-kind contributions and are subject to the PAC contribution limit of $5,000 per year.

The penalty for any person who knowingly violates the coordination provisions of this act is a civil fine that is three times the amount of the coordinated expenditures involved in excess of the applicable contribution limit. The act also imposes joint and several liability on any director, manager, or officer of an outside spending group for any unpaid penalties by the group violating the coordination rules.

Lastly, the bill prohibits candidates and their agents from raising money for super PACs by prohibiting the raising of funds for any super PAC or political committee that is not subject to Federal contribution limits and reporting requirements. This bill would provide real rules and put into place some regulations that would make it more difficult for these super PACs to coordinate with candidates.

The issue of how our politics are paid for is an issue that is important to the American people, and it is also important to Vermonters. We have always remained steadfast in our belief that our democracy should not be for sale, and that the size of your bank account should not determine whether or not the government responds to your views or needs.

This bill I introduce today is an incremental measure that would help eliminate the sham of single-candidate super PACs and provide some real rules to a process in which the American public is becoming more cynical about every day. I hope that my fellow Senators from both sides of the aisle will support this modest measure.

I understand why Vermonters are outraged by the devastating effects of Citizens United and its progeny. In recent years I have held several hearings to highlight the damage that Citizens United has done to our political process. Last summer, I led the charge in the Senate Judiciary Committee to consider a constitutional amendment to restore the ability of lawmakers at both the Federal and State levels to rein in the influence that billionaires and corporations now have on our elections. The amendment would also have made clear that corporations are not people. Although Senate Democrats were able to vote the constitutional amendment out of the Judiciary Committee, Senate Republicans filibustered the amendment on the floor and refused to allow it an up-or-down vote. I will continue to do all I can to reverse the devastating effects of Citizens United and its subsequent decisions. This bill is one step towards addressing one of the problems that has resulted from those decisions.

Mr. President, I ask unanimous consent that the Washington Post article referenced above be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 6, 2015]

IT'S BOLD, BUT LEGAL: HOW CAMPAIGNS AND THEIR SUPER PAC BACKERS WORK TOGETHER

(By Matea Gold)

The 2016 presidential contenders are stretching the latitude they have to work with their independent allies more than candidates in recent elections ever dared, taking advantage of a narrowly drawn rule that separates campaigns from outside groups.

For the first time, nearly every top presidential hopeful has a personalized super PAC that can raise unlimited sums and is run by close associates or former aides. Many also are being boosted by non-profits, which do not have to disclose their donors.

The boldness of the candidates has elevated the importance of wealthy donors to even greater heights than in the last White House contest, when super PACs and nonprofits reported spending more than $1 billion on federal races. Although they are not supposed to coordinate directly with their independent allies, candidates are finding creative ways to work in concert with them.

Before former Florida governor Jeb Bush (R) announced his bid in mid-June, the Right to Rise super PAC filmed footage of him that the group plans to use in ads. Hillary Rodham Clinton's campaign is collaborating directly with Correct the Record, a super PAC providing the Democratic hopeful's team with opposition research.

Top advisers to Wisconsin Gov. Scott Walker (R) have been positioned at two big-money groups as they await his presidential announcement next week. GOP candidate Carly Fiorina has gone even further, outsourcing core functions such as rapid response and event preparation to her allied super PAC, the aptly named—CARLY for America.

The 2016 contenders and their big-money backers VIEW GRAPHIC. The widespread cooperation—which many campaign finance-experts say stretches the legal boundaries—indicates that candidates and their advisers have little fear that they will face serious scrutiny from law enforcement, despite the Justice Department's successful prosecution this year of a Virginia campaign operative for illegal coordination.

One main reason: Under Federal Election Commission rules, there is no wall dividing candidates and independent groups. In practice, it's more like a one-way mirror—with a telephone on each side for occasional calls.

''The rules of affiliation are just about as porous as they can be, and it amounts to a joke that there's no coordination between these individual super PACs and the candidates,'' said Rep. David E. Price (D–N.C.), who has sponsored legislation that would put stricter limits in place.

A close reading of FEC regulations reveals that campaigns can do more than just publicly signal their needs to independent groups, a practice that flourished in the 2014 midterms.

Operatives on both sides can talk to one another directly, as long as they do not discuss candidate strategy. According to an FEC rule, an independent group also can confer with a campaign until this fall about ''issue ads'' featuring a candidate. Some election-law lawyers think that a super PAC could share its entire paid media plan, as long as the candidate's team does not respond.

But those who defend the current system say that broader rules could infringe on rights to free speech.

Right to Rise, a super PAC run by Mike Murphy, filmed footage with then-undeclared candidate Jeb Bush to be used in later commercials. (NBCU Photo Bank via Getty Images) ''Every discussion you have cannot trigger illegal coordination,'' said Lee E. Goodman, a Republican appointee to the FEC.

''I understand some people look at relationships between candidates and independent spenders and sense that those relationships are too cozy,'' he added. ''Yet the courts have said that you cannot prohibit friendships and knowledge of each other.''

But many experts say that the limited-coordination rules are emblematic of an outdated, incoherent and often contradictory campaign finance framework.

''We're at this transitional point where the way money is raised and spent and the costs of campaigns have changed so dramatically,'' said Bob Bauer, a prominent campaign finance lawyer who served as White House counsel for President Obama. ''The problem isn't that the law isn't being enforced—the problem is that we need to rethink the whole thing from the ground up.''

Political strategists on both sides of the aisle agree, saying that navigating the complex legal thickets is increasingly difficult.

''If you talk to three lawyers, you are likely to get three different answers,'' said Phil Cox, executive director of America Leads, a super PAC supporting Chris Christie, the Republican governor of New Jersey. ''The system makes no sense. It's crying out for reform. We need to put the power back in the hands of the candidates and their campaigns, not the outside groups.''

At the moment, though, an overhaul of campaign finance has little bipartisan support in Congress. And members of the long-polarized FEC appear more divided than ever. A discussion at a recent public meeting about stricter regulations devolved into hostile barbs.

The public is left with the sense that no one is following the rules, said Ellen L. Weintraub, one of the Democrats on the FEC.

''There is this basic notion that super PACs are supposed to be separate from the candidates,'' she said. ''They look at what's going on, and they say: 'This doesn't look separate. Where are the lines?' ''

A sweeping boundary was drawn by the Supreme Court in its seminal 1976 Buckley v. Valeo decision, which said that political activity by outside groups must be done ''totally independently'' of candidates and parties. A similar standard was set in the 2002—McCain-Feingold Act, which said that independent expenditures cannot be made ''in cooperation, consultation, or concert'' with a candidate.

But in practice, defining coordination has not been easy. The FEC wrestled mightily with where to draw the lines, issuing regulations that were challenged repeatedly in the courts.

A set of FEC rules approved in 2010 prohibits a campaign from coordinating with an independent group on a paid communication. The agency laid out specific tests to determine whether a campaign has illegally shared internal strategy used to guide an independent group's advertising.

But the rules do not ban coordination in general—much less conversations between each side.

Bobby Burchfield, a Republican campaign finance lawyer, said that the clarity of current regulation helps avoid the kind of intrusive investigations into groups, such as the Christian Coalition, that the FEC once pursued. ''That had the effect of suppressing and chilling political activity,'' he said.

Now, there's plenty of room to maneuver. Although a campaign cannot share private strategy with a super PAC, it can give a campaign information about its plans, as long the group is not sharing something of value that could be considered a contribution.

The FEC also has given candidates its blessing to appear at super PAC fundraisers, as long as they do not solicit more than $5,000—a decision that came in response to a query from two Democratic super PACs in 2011.

Taken together, critics say, the narrow rules offer far too many opportunities for candidates and their well-funded outside allies to work in agreement.

The FEC ''couldn't imagine how bold people would be,'' said Larry Noble, senior counsel at the Campaign Legal Center, which supports tougher restrictions.

Right to Rise, the super PAC run by longtime Bush adviser Mike Murphy, is set to serve as a massive external ad operation bolstering the former governor's campaign. Murphy told donors in a recent conference call that before Bush announced his candidacy, the super PAC filmed footage of him that the group plans to use in digital and TV spots, according to an account in BuzzFeed.

''One of the new ideas that, you know, the governor had—he's such an innovator—is we're going to be the first super PAC to really be able to do just positive advertising,'' Murphy said.

Paul Lindsay, a spokesman for Right to Rise, said that Murphy was referring to ''Governor Bush's historical preference for positive advertising, which was consistent in his previous elections and is no secret.''

Clinton's campaign is working closely with Correct the Record, a liberal rapid-response group that refashioned itself as a super PAC this year. The group says it can coordinate directly with the campaign under a 2006 FEC rule that made content posted free online off-limits to regulation.

Correct the Record has more than 20 staffers and plans to disseminate much of its research on its Web site and through social media.

Any nonpublic information of value that it shares with the Clinton staff will be purchased, according to a campaign official.

Already, partisan critics have pounced, filing complaints with the FEC alleging that the pro-Bush and pro-Clinton super PACs are engaged in illegal coordination.

But if the agency launches an investigation, it would be a first. Since 2010, the FEC has yet to open an investigation into alleged illegal super PAC coordination, closing 29 such complaints. In 28 of those cases, the agency's general counsel did not recommend pursuing the matters, according to Goodman of the FEC.

''We could capture all of this stuff if we had real rules,'' said Fred Wertheimer, a longtime advocate of reducing the influence of big money on politics. ''For all practical purposes, there are no prohibitions against coordination.''

By Mr. CORNYN (for himself, Mr. TOOMEY, Mr. CRAPO, and Mr. LEE):

S. 1840. A bill to amend title 11, United States Code, to provide for the liquidation, reorganization, or recapitalization of a covered financial corporation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1840

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 ''Taxpayer Protection and Responsible Resolution Act''.

SEC. 2. GENERAL PROVISIONS RELATING TO COVERED FINANCIAL CORPORATIONS.

(a) DEFINITION.—Section 101 of title 11, United States Code, is amended by inserting the following after paragraph (9):

''(9A) The term 'covered financial corporation' means any corporation incorporated or organized under any Federal or State law, other than a stockbroker, a commodity broker, or an entity of the kind specified in paragraph (2) or (3) of section 109(b), that is—

''(A) a bank holding company, as defined in section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)); or

''(B) a corporation that exists for the primary purpose of owning, controlling, and financing subsidiaries that are predominantly engaged in activities that the Board of Governors of the Federal Reserve System has determined are financial in nature or incidental to such financial activity for purposes of section 4(k) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(k)).''.

(b) APPLICABILITY OF CHAPTERS.—Section 103 of title 11, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''section 1161'' and inserting ''sections 1161 and 1401''; and

(B) by striking ''or 13'' and inserting ''13, or 14'';

(2) in subsection (g), by inserting ''subsection (m) and'' before ''section''; and

(3) by adding at the end the following:

''(l) Chapter 14 of this title applies only in a case under such chapter.

''(m) Except as otherwise provided in chapter 14 of this title, chapter 11 of this title applies in a case under chapter 14 of this title.''.

(c) WHO MAY BE A DEBTOR.—Section 109 of title 11, United States Code, is amended—

(1) in subsection (d)—

(A) by striking ''and'';

(B) by striking ''or a'' and inserting ''or''; and

(C) by inserting '', or a covered financial corporation'' after ''Federal Deposit Insurance Corporation Improvement Act of 1991''; and

(2) by adding at the end the following:

''(i) Only a covered financial corporation may be a debtor in a case under chapter 14.''.

(d) DISTRIBUTION OF PROPERTY OF THE ESTATE.—Section 726(a)(1) of title 11, United States Code, is amended by inserting ''in payment of any unpaid fees, costs, and expenses of a special trustee appointed under section 1406, and then'' after ''first,''.

(e) CONFIRMATION OF PLAN.—Section 1129(a) of title 11, United States Code, is amended by adding at the end the following:

''(17) In a case under chapter 14, all payable fees, costs, and expenses of the special trustee have been paid or the plan provides for the payment of all such fees, costs, and expenses, as of the effective date of the plan.

''(18) In a case under chapter 14, confirmation of the plan is not likely to cause serious adverse effects on financial stability in the United States.''.

(f) QUALIFICATION OF TRUSTEE.—Section 322(b)(2) of title 11, United States Code, is amended by striking ''The'' and inserting ''In cases under chapter 14, the United States trustee shall recommend to the court, and in all other cases, the''.

SEC. 3. LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION.

(a) IN GENERAL.—Title 11, United States Code, is amended by inserting before chapter 15 the following:

''CHAPTER 14—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

''Sec.
''1401. Inapplicability of other sections.
''1402. Definitions for this chapter.
''1403. Commencement of a case concerning a covered financial corporation.
''1404. Regulators.
''1405. Special transfer of property of the estate.
''1406. Special trustee.
''1407. Automatic stay; assumed debt.
''1408. Treatment of qualified financial contracts and affiliate contracts.
''1409. Licenses, permits, and registrations.
''1410. Conversion to chapter 7.
''1411. Exemption from securities laws.
''1412. Inapplicability of certain avoiding powers.
''1413. Consideration of financial stability.

''§ 1401. Inapplicability of other sections

''Sections 303 and 321(c) do not apply in a case under this chapter.

''§ 1402. Definitions for this chapter

''In this chapter, the following definitions shall apply:

''(1) The term 'Board' means the Board of Governors of the Federal Reserve System.

''(2) The term 'bridge company' means a newly formed corporation to which property of the estate may be transferred under section 1405(a) and the equity securities of which may be transferred to a special trustee under section 1406(a).

''(3) The term 'capital structure debt' means all unsecured debt of the debtor for borrowed money for which the debtor is the primary obligor, other than a qualified financial contract and other than debt secured by a lien on property of the estate that is to be transferred to a bridge company pursuant to an order of the court under section 1405(a).

''(4) The term 'contractual right' means a contractual right of a kind described in section 555, 556, 559, 560, or 561.

''(5) The term 'qualified financial contract' means any contract of a kind defined in paragraph (25), (38A), (47), or (53B) of section 101, section 741(7), or paragraph (4), (5), (11), or (13) of section 761.

''(6) The term 'special trustee' means a trustee appointed under section 1406(a)(2)(A).

''(7) The term 'trustee' means a person who is—

''(A) appointed or elected under section 1104; and

''(B) qualified under section 322 to serve as trustee in the case or, in the absence of such person, the debtor in possession.

''§ 1403. Commencement of a case concerning a covered financial corporation

''(a) IN GENERAL.—A case under this chapter may be commenced by the filing of a petition with the court by an entity that may be a debtor under section 301 if the entity states to the best of its knowledge, under penalty of perjury, in the petition that the entity is a covered financial corporation.

''(b) ORDER FOR RELIEF.—The commencement of a case under subsection (a) constitutes an order for relief under this chapter.

''(c) LIABILITY.—The members of the board of directors (or body performing similar functions) of a covered financial corporation shall not be liable to shareholders, creditors or other parties in interest for—

''(1) a good faith filing of a case under this chapter; or

''(2) for any reasonable action taken, before or after the date on which a case is commenced under this chapter, in good faith in contemplation of or in connection with such a filing or a transfer under section 1405 or section 1406.

''(d) NOTICE TO COURT.—Counsel to the entity that may be a debtor shall provide, to the greatest extent practicable, sufficient confidential notice to the Director of the Administrative Office of the United States Courts and the chief judge of the court of appeals embracing the district in which the case is pending regarding the potential commencement of a case under this chapter without disclosing the identity of the potential debtor to allow the Director and chief judge to designate and ensure the ready availability of 1 of the bankruptcy judges designated under section 298(b)(1) of title 28 to be available to preside over the case.

''§ 1404. Regulators

''The Board, the Securities Exchange Commission, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation may raise and may appear and be heard on any issue in any case or proceeding under this chapter.

''§ 1405. Special transfer of property of the estate

''(a) IN GENERAL.—

''(1) TRANSFER.—On request of the trustee, and after notice and hearing not less than 24 hours after the order for relief, the court may order a transfer under this section of property of the estate, and the assignment of debt, executory contracts, unexpired leases, qualified financial contracts, and agreements of the debtor, to a bridge company. Except as provided under this section, the provisions of sections 363 and 365 shall apply to a transfer and assignment under this section.

''(2) PROPERTY OF ESTATE.—Upon the entry of an order approving a transfer under this section, any property transferred, and any debt, executory contract, unexpired leases, qualified financial contract, or agreement assigned under such order shall no longer be property of the estate.

''(b) NOTICE.—Unless the court orders otherwise, notice of a request for an order under subsection (a) shall consist of electronic or telephonic notice of not less than 24 hours to—

''(1) the holders of the 20 largest secured claims against the debtor;

''(2) the holders of the 20 largest unsecured claims against the debtor;

''(3) counterparties to any debt, executory contract, unexpired lease, qualified financial contract, or agreement requested to be transferred under this section;

''(4) the Board;

''(5) the Federal Deposit Insurance Corporation;

''(6) the Secretary of the Treasury;

''(7) the Comptroller of the Currency;

''(8) the Securities and Exchange Commission;

''(9) the United States trustee or bankruptcy administrator; and

''(10) each primary financial regulatory agency (as defined in section 2(12) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301(12))) with respect to any affiliate the equity securities of which are proposed to be transferred under this section.

''(c) DETERMINATION.—The court may not order a transfer under this section unless the court determines, based upon a preponderance of the evidence, that—

''(1) the transfer under this section is necessary to prevent serious adverse effects on financial stability in the United States;

''(2) the transfer does not provide for the assumption of any capital structure debt by the bridge company;

''(3) the transfer does not provide for the transfer to the bridge company of any property of the estate that is subject to a lien securing a debt, executory contract, unexpired lease, or agreement of the debtor unless—

''(A)(i) the bridge company assumes such debt, executory contract, unexpired lease, or agreement, including any claims arising in respect thereof that would not be allowed secured claims under section 506(a)(1), and after giving effect to such transfer, such property remains subject to the lien securing such debt, executory contract, unexpired lease, or agreement; and

''(ii) the court has determined that assumption of such debt, executory contract, unexpired lease, or agreement by the bridge company is in the best interest of the estate; or

''(B) such property is being transferred to the bridge company in accordance with the provisions of section 363;

''(4) the transfer does not provide for the assumption by the bridge company of any debt, executory contract, unexpired lease, or agreement of the debtor secured by a lien on property in which the estate has an interest unless the transfer provides for such property to be transferred to the bridge company in accordance with paragraph (3)(A) of this subsection;

''(5) the transfer does not provide for the transfer of the equity of the debtor;

''(6) the debtor has demonstrated that the bridge company is not likely to fail to meet the obligations of any debt, executory contract, qualified financial contract, unexpired lease, or other agreement assumed and assigned to the bridge company;

''(7) the transfer provides for the transfer to a special trustee all of the equity securities in the bridge company and appointment of a special trustee in accordance with section 1406;

''(8) after giving effect to the transfer, adequate provision has been made for the payment of the fees, costs, and expenses of the estate and special trustee; and

''(9) the bridge company will have governing documents, and initial directors and senior officers, that are in the best interest of creditors and the estate.

''(d) REQUIREMENTS BEFORE TRANSFER.—Immediately before a transfer under this section, the bridge company that is the recipient of the transfer shall—

''(1) not have any property, debts, executory contracts, unexpired leases, qualified financial contracts, or agreements, other than any property acquired or debts, executory contracts, unexpired leases, qualified financial contracts, or agreements assumed when acting as a transferee of a transfer under this section; and

''(2) have equity securities that are property of the estate, which may be sold or distributed in accordance with this title.

''§ 1406. Special trustee

''(a) IN GENERAL.—

''(1) TRANSFER TO SPECIAL TRUSTEE.—An order approving a transfer under section 1405 shall require the trustee to transfer to a special trustee all of the equity securities in the bridge company that is the recipient of a transfer under section 1405 to hold in trust for the sole benefit of the estate subject to satisfaction of the special trustee's fees, costs, and expenses. The trust of which the special trustee is the trustee shall be a newly formed trust governed by a trust agreement approved by the court as in the best interests of the estate, and shall exist for the sole purpose of holding and administering, and shall be permitted to dispose of, the equity securities of the bridge company in accordance with the trust agreement.

''(2) APPOINTMENT OF SPECIAL TRUSTEE.—

''(A) IN GENERAL.—A special trustee shall be qualified and independent and shall be appointed by the court.

''(B) PROPOSAL BY TRUSTEE.—In connection with the hearing to approve a transfer under section 1405, the trustee may propose to the court a person to serve as special trustee, if the trustee confirms to the court that the Board has been consulted regarding the identity of the proposed special trustee and advises the court of the results of such consultation.

''(b) TRUST AGREEMENT.—The trust agreement governing a trust formed under subsection (a)(1) shall provide—

''(1) for the payment of the fees, costs, expenses, and indemnities of the special trustee from the assets of the debtor's estate;

''(2) that the special trustee provide—

''(A) quarterly reporting to the estate, which shall be filed with the court; and

''(B) information about the bridge company reasonably requested by a party in interest to prepare a disclosure statement for a plan providing for distribution of any securities of the bridge company if such information is necessary to prepare such disclosure statement;

''(3) that for as long as the equity securities of the bridge company are held by the trust, the special trustee shall file a notice with the court in connection with—

''(A) any change in a director or senior officer of the bridge company;

''(B) any modification to the governing documents of the bridge company; or

''(C) any material corporate action of the bridge company, including—

''(i) recapitalization;

''(ii) a material borrowing;

''(iii) termination of an intercompany debt or guarantee;

''(iv) a transfer of a substantial portion of the assets of the bridge company; or

''(v) the issuance or sale of any securities of the bridge company;

''(4) that any sale of any equity securities of the bridge company shall not be consummated until the special trustee consults with the Federal Deposit Insurance Corporation and the Board regarding such sale and discloses the results of such consultation with the court;

''(5) that, subject to reserves for payments permitted under paragraph (1) provided for in the trust agreement, the proceeds of the sale of any equity securities of the bridge company by the special trustee be held in trust for the benefit of or transferred to the estate;

''(6) the process and guidelines for the replacement of the special trustee; and

''(7) that the property held in trust by the special trustee is subject to distribution in accordance with subsection (c).

''(c) DISTRIBUTION OF ASSETS HELD IN TRUST.—

''(1) IN GENERAL.—The special trustee shall distribute the assets held in trust—

''(A) if the court confirms a plan in the case, in accordance with the plan on the effective date of the plan; or

''(B) if the case is converted to a case under chapter 7 under section 1410.

''(2) TERMINATION.—As soon as practicable after a final distribution under paragraph (1), the office of the special trustee shall terminate, except as may be necessary to wind up and conclude the business and financial affairs of the trust.

''(d) APPLICABILITY.—After a transfer to the special trustee under this section, the special trustee shall be subject only to applicable nonbankruptcy law, and the actions and conduct of the special trustee shall no longer be subject to approval by the court in the case under this chapter.

''§ 1407. Automatic stay; assumption

''(a) AUTOMATIC STAY.—

''(1) IN GENERAL.—A petition filed under section 1403 operates as a stay, applicable to all entities, of the acceleration, termination, or modification of any debt, contract, lease, or agreement of the kind described in paragraph (2), or of any right or obligation under any such debt, contract, lease, or agreement, solely because of—

''(A) a default by the debtor under any such debt, contract, lease, or agreement; or

''(B) a provision in such debt, contract, lease, or agreement, or in applicable nonbankruptcy law, that is conditioned on—

''(i) the insolvency or financial condition of the debtor at any time before the closing of the case;

''(ii) the commencement of a case under this title concerning the debtor;

''(iii) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

''(iv) a credit rating agency rating, or absence or withdrawal of a credit rating agency rating of—

''(I) the debtor at any time after the commencement of the case;

''(II) an affiliate during the 48 hours after the commencement of the case;

''(III) the bridge company while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

''(aa) the bridge company; or

''(bb) an affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1406; or

''(IV) an affiliate while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

''(aa) the bridge company; or

''(bb) the affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1405.

''(2) DEBT, CONTRACT, LEASE, OR AGREEMENT.—A debt, contract, lease, or agreement described in this paragraph—

''(A) is—

''(i) any debt, executory contract, or unexpired lease of the debtor;

''(ii) any agreement under which the debtor issued or is obligated for debt;

''(iii) any debt, executory contract, or unexpired lease of an affiliate; and

''(iv) any agreement under which an affiliate issued or is obligated for debt; and

''(B) does not include capital structure debt or qualified financial contracts.

''(3) TERMINATION OF STAY.—A stay under this subsection terminates—

''(A) as to the debtor, upon the earliest of—

''(i) 48 hours after the commencement of the case;

''(ii) assumption of the debt, contract, lease, or agreement by the bridge company under an order authorizing a transfer under section 1405;

''(iii) a final order of the court denying the request for a transfer of the debt, contract, lease, or agreement under section 1405; or

''(iv) the time the case is dismissed; and

''(B) as to an affiliate, upon the earliest of—

''(i) 48 hours after the commencement of the case, if the court has not ordered a transfer under section 1405;

''(ii) the entry of an order authorizing a transfer under section 1405 in which the direct or indirect interests in the affiliate that are property of the estate are not transferred under section 1405;

''(iii) a final order of the court denying the request for a transfer under section 1405; or

''(iv) the time the case is dismissed.

''(4) APPLICABILITY.—Sections (d), (e), (f), and (g) of section 362 apply to a stay under this subsection.

''(b) ASSUMPTION BY BRIDGE COMPANY.—A debt, executory contract, unexpired lease of the debtor, or any other agreement described in subsection (a)(2), may be assumed by a bridge company in a transfer under section 1405 notwithstanding any provision in an agreement or in applicable nonbankruptcy law that—

''(1) prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

''(2) accelerates, terminates, or modifies, or permits a party other than the debtor to accelerate, terminate, or modify, the debt, contract, lease, or agreement on account of—

''(A) the assignment of the debt, contract, lease, or agreement; or

''(B) a change in control of any party to the debt, contract, lease, or agreement.

''(c) NO ACCELERATION, TERMINATION, OR MODIFICATION OF AGREEMENTS OF DEBTOR.—

''(1) IN GENERAL.—A debt, contract, lease, or agreement of the kind described in subsection (a)(2) may not be accelerated, terminated, or modified, and any right or obligation under such debt, contract, lease, or agreement may not be accelerated, terminated, or modified, as to the bridge company solely because of a provision in the debt, contract, lease, or agreement or in applicable nonbankruptcy law—

''(A) of the kind described in subsection (a)(1)(B) as applied to the debtor;

''(B) that prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

''(C) that accelerates, terminates, or modifies, or permits a party other than the debtor to accelerate, terminate, or modify, the debt, contract, lease or agreement, on account of—

''(i) the assignment of the debt, contract, lease, or agreement; or

''(ii) a change in control of any party to the debt, contract, lease, or agreement.

''(2) DEFAULT.—If there has been a default by the debtor under a provision other than the kind described in paragraph (1) in a debt, contract, lease, or agreement of the kind described in subsection (a)(2), the bridge company may assume such debt, contract, lease, or agreement only if the bridge company—

''(A) cures, or provides adequate assurance in connection with a transfer under section 1405 that the bridge company will promptly cure, the default;

''(B) compensates, or provides adequate assurance in connection with a transfer under section 1405 that the bridge company will promptly compensate, a party other than the debtor to the debt, contract, lease, or agreement, for any actual pecuniary loss to the party resulting from the default; and

''(C) provides adequate assurance in connection with a transfer under section 1405 of future performance under the debt, contract, lease, or agreement, as determined by the court under section 1405(c)(4).

''§ 1408. Treatment of qualified financial contracts and affiliate contracts

''(a) IN GENERAL.—Notwithstanding sections 362(b)(6), 362(b)(7), 362(b)(17), 362(b)(27), 362(o), 555, 556, 559, 560, and 561, a petition filed under section 1403 operates as a stay, during the period specified in section 1407(a)(3)(A), applicable to all entities, of the exercise of a contractual right—

''(1) to cause the acceleration, termination, modification, or liquidation of a qualified financial contract of the debtor or an affiliate;

''(2) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with a qualified financial contract of the debtor or an affiliate; or

''(3) under any security agreement or arrangement or other credit enhancement forming a part of or related to a qualified financial contract of the debtor or an affiliate.

''(b) PAYMENT AND DELIVERY OBLIGATIONS.—

''(1) IN GENERAL.—During the period specified in section 1407(a)(3)(A), the trustee or the affiliate shall perform all payment and delivery obligations under a qualified financial contract of the debtor or the affiliate, as the case may be, that become due after the commencement of the case. The stay provided under subsection (a) terminates as to a qualified financial contract of the debtor or an affiliate immediately upon the failure of the trustee or the affiliate, as the case may be, to perform any such obligation during such period.

''(2) FAILURE TO PERFORM.—Any failure by a counterparty to any qualified financial contract of the debtor or any affiliate to perform any payment or delivery obligation under such qualified financial contract, including during the pendency of the stay provided under subsection (a), shall constitute a breach of such qualified financial contract by the counterparty.

''(c) ASSIGNMENT OR ASSUMPTION.—Notwithstanding any provision of subsection 1407(b) or applicable nonbankruptcy law, subject to the court's approval, a qualified financial contract between an entity and the debtor may be assigned to or assumed by the bridge company in a transfer under section 1405 only if—

''(1) all qualified financial contracts between the entity and the debtor are assigned to and assumed by the bridge company in the transfer under section 1405;

''(2) all claims of the entity against the debtor under any qualified financial contract between the entity and the debtor (other than any claim that, under the terms of the qualified financial contract, is subordinated to the claims of general unsecured creditors) are assigned to and assumed by the bridge company;

''(3) all claims of the debtor against the entity under any qualified financial contract between the entity and the debtor are assigned to and assumed by the bridge company; and

''(4) all property securing or any other credit enhancement furnished by the debtor for any qualified financial contract described in paragraph (1) or any claim described in paragraph (2) or (3) under any qualified financial contract between the entity and the debtor is assigned to and assumed by the bridge company.

''(d) NO ACCELERATION, TERMINATION, OR MODIFICATION OF QUALIFIED FINANCIAL CONTRACTS.—Notwithstanding any provision of a qualified financial contract or of applicable nonbankruptcy law, a qualified financial contract of the debtor that is assumed by or assigned to the bridge company in a transfer under section 1405 may not be accelerated, terminated, modified, or liquidated after the entry of the order approving a transfer under section 1405, and any right or obligation under the qualified financial contract may not be accelerated, terminated, or modified, after the entry of the order approving a transfer under section 1405 solely because of a provision of the kind described in section 1407(c)(1), other than a provision of the kind described in section 1407(b) that occurs after property of the estate no longer includes a direct beneficial interest or an indirect beneficial interest through the special trustee, in more than 50 percent of the equity securities of the bridge company.

''(e) NO ACCELERATION, TERMINATION, MODIFICATION, OR LIQUIDATION OF AGREEMENTS OF AFFILIATES.—Notwithstanding any provision in any agreement or in applicable nonbankruptcy law, an agreement (including an executory contract, unexpired lease, qualified financial contract, or an agreement under which the affiliate issued or is obligated for debt) of an affiliate that is assumed by or assigned to the bridge company in a transfer under section 1405, and any right or obligation under such agreement, may not be accelerated, terminated, modified, or liquidated after the entry of the order approving a transfer under section 1405 solely because of a provision of the kind described in section 1407(c)(1), other than a provision of the kind described in section 1407(b) that occurs after the bridge company is no longer a direct or indirect beneficial holder of more than 50 percent of the equity securities of the affiliate at any time after the commencement of the case if—

''(1) all direct or indirect interests in the affiliate that are property of the estate are transferred under section 1405 to the bridge company within the period specified in subsection (a);

''(2) the bridge company assumes—

''(A) any guarantee or other credit enhancement issued by the debtor relating to the agreement of the affiliate; and

''(B) any right of setoff, netting arrangement, or debt of the debtor that directly arises out of or directly relates to the guarantee or credit enhancement; and

''(3) any property of the estate that directly serves as collateral for the guarantee or credit enhancement is transferred to the bridge company.

''§ 1409. Licenses, permits, and registrations

''(a) IN GENERAL.—Notwithstanding any otherwise applicable nonbankruptcy law, if a request is made under section 1405 for a transfer of property of the estate, any Federal, State, or local license, permit, or registration that the debtor or an affiliate had immediately before the commencement of the case and that is proposed to be transferred under section 1405 may not be accelerated, terminated, or modified at any time after the request solely on account of—

''(1) the insolvency or financial condition of the debtor at any time before the closing of the case;

''(2) the commencement of a case under this title concerning the debtor;

''(3) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

''(4) a transfer under section 1405.

''(b) VALIDITY OF CERTAIN LICENSES, PERMITS, AND REGISTRATIONS.—Notwithstanding any otherwise applicable nonbankruptcy law, any Federal, State, or local license, permit, or registration that the debtor had immediately before the commencement of the case that is included in a transfer under section 1405 shall be valid and all rights and obligations thereunder shall vest in the bridge company.

''§ 1410. Conversion to chapter 7

''Notwithstanding section 109(b), a court may convert a case under this chapter to a case under chapter 7 if—

''(1) a transfer described in section 1405 has taken place;

''(2) the court has ordered the appointment of a special trustee under section 1406; and

''(3) the court finds, after providing notice and conducting a hearing, that the conversion of the case is in the best interests of the creditors and the estate.

''§ 1411. Exemption from securities laws

''For purposes of section 1145, a security of the bridge company shall be deemed to be a security of a successor to the debtor under a plan if the court approves the disclosure statement for the plan as providing adequate information (as defined in section 1125(a)) about the bridge company and the security.

"§ 1412. Inapplicability of certain avoiding powers

''A transfer made or an obligation incurred by the debtor to an affiliate prior to or after the commencement of the case, including any obligation released by the debtor or the estate to or for the benefit of an affiliate, in contemplation of or in connection with a transfer under section 1405, is not avoidable under section 544, 547, 548(a)(1)(B), or 549, or under any similar nonbankruptcy law.

"§ 1413. Consideration of financial stability

''The court may consider the effect that any decision in connection with this chapter may have on financial stability in the United States.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for title 11, United States Code, is amended by inserting after the item relating to chapter 13 the following:

''14. Liquidation, reorganization, or recapitalization of a covered financial corporation ..... 1401.''.

SEC. 4. AMENDMENTS TO TITLE 28, UNITED STATES CODE.

(a) AMENDMENT TO CHAPTER 13.—Chapter 13 of title 28, United States Code, is amended by adding at the end the following:

"§ 298. Judge for a case under chapter 14 of title 11

''(a) Notwithstanding section 295, the Chief Justice of the United States shall designate not fewer than 10 bankruptcy judges to be available to hear a case under chapter 14 of title 11. Bankruptcy judges may request to be considered by the Chief Justice of the United States for such designation.

''(b)(1) Notwithstanding section 155, a case under chapter 14 of title 11 shall be heard under section 157 by a bankruptcy judge designated under subsection (a), who shall be assigned to hear such case by the chief judge of the court of appeals for the circuit embracing the district in which the case is pending.

''(2) If the bankruptcy judge assigned to hear a case under paragraph (1) is not assigned to the district in which the case is pending, the bankruptcy judge shall be temporarily assigned to the district. To the greatest extent practicable, the approvals required under section 155(a) shall be obtained.

''(c) A case under chapter 14 of title 11, and all proceedings in the case, shall take place in the district in which the case is pending.''.

(b) AMENDMENT TO SECTION 1334.—Section 1334 of title 28, United States Code, is amended by adding at the end the following:

''(f) This section does not grant jurisdiction to the district court after a transfer pursuant to an order under section 1405 of title 11 of any proceeding related to a special trustee appointed, or to a bridge company formed to accomplish a transfer, under section 1405 of title 11.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 28, United States Code, is amended by adding at the end the following:

''298. Judge for a case under chapter 14 of title 11.''.

SEC. 5. REPEAL OF TITLE II OF DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.

(a) IN GENERAL.—Title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203) is repealed and any Federal law amended by such title shall, on and after the date of enactment of this Act, be effective as if title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act had not been enacted.

(b) CONFORMING AMENDMENTS.—

(1) DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(A) in the table of contents, by striking all items relating to title II;

(B) in section 165(d)(6), by striking '', a receiver appointed under title II,'';

(C) in section 716(g), by striking ''or a covered financial company under title II'';

(D) in section 1105(e)(5), by striking ''amount of any securities issued under that chapter 31 for such purpose shall be treated in the same manner as securities issued under section 208(n)(5)(E)'' and inserting ''issuances of such securities under that chapter 31 for such purpose shall by treated as public debt transactions of the United States, and the proceeds from the sale of any obligations acquired by the Secretary under this paragraph shall be deposited into the Treasury of the United States as miscellaneous receipts''; and

(E) in section 1106(c)(2)(A)—

(i) in clause (i), by inserting '', other than a covered financial corporation (as defined in section 101(9A) of title 11, United States Code),'' after ''company''; and

(ii) in clause (ii), by inserting '', other than a covered financial corporation (as defined in section 101(9A) of title 11, United States Code),'' after ''company''.

(2) FEDERAL DEPOSIT INSURANCE ACT.—Section 10(b)(3)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1820(b)(3)(A)) is amended by striking '', or of such nonbank financial company supervised by the Board of Governors or bank holding company described in section 165(a) of the Financial Stability Act of 2010, for the purpose of implementing its authority to provide for orderly liquidation of any such company under title II of that Act''.

(3) FEDERAL RESERVE ACT.—Section 13(3) of the Federal Reserve Act (12 U.S.C. 343(3)) is amended—

(A) in subparagraph (B)—

(i) in clause (ii), by striking '', resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or'' and inserting ''or is subject to resolution under''; and

(ii) in clause (iii), by striking '', resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or'' and inserting ''or resolution under''; and

(B) by striking subparagraph (E).

SEC. 6. LIMITATION ON ADVANCES FROM A FEDERAL RESERVE BANK.

Section 10B(b) of the Federal Reserve Act (12 U.S.C. 347b(b)) is amended—

(1) by redesignating paragraph (5) as paragraph (6);

(2) by inserting after paragraph (4) the following:

''(5) LIMITATION ON ADVANCES TO COVERED FINANCIAL CORPORATIONS AND BRIDGE COMPANIES.—Notwithstanding paragraph (2), a Federal Reserve bank may not make advances to any covered financial corporation that is a debtor in a pending case under chapter 14 of title 11, United States Code, or to a bridge company, for the purpose of providing debt-or-in-possession financing pursuant to section 364 of such title.''; and

(3) in paragraph (6), as redesignated—

(A) by redesignating subparagraphs (B) through (E) as subparagraphs (D) through (G), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) BRIDGE COMPANY.—The term 'bridge company' has the same meaning as in section 1402(2) of title 11, United States Code.

''(C) COVERED FINANCIAL CORPORATION.—The term 'covered financial corporation' has the same meaning as in section 101(9A) of title 11, United States Code.''.

SEC. 7. LIMITATION ON USE OF FEDERAL FUNDS.

Notwithstanding any other provision of law, no funds appropriated to the Federal Government may be paid to a covered financial corporation (as defined in section 101(9A) of title 11, United States Code, as amended by section 2(a) of this Act), or to a creditor of any covered financial corporation, to satisfy a claim in a case under chapter 14 of title 11, United States Code.

By Mr. CORNYN (for himself and Mr. TOOMEY):

S. 1841. A bill to amend title 11, United States Code, to provide for the liquidation, reorganization, or recapitalization of a covered financial corporation, and for other purposes; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1841

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 ''Taxpayer Protection and Responsible Resolution Act''.

SEC. 2. GENERAL PROVISIONS RELATING TO COVERED FINANCIAL CORPORATIONS.

(a) DEFINITION.—Section 101 of title 11, United States Code, is amended by inserting the following after paragraph (9):

''(9A) The term 'covered financial corporation' means any corporation incorporated or organized under any Federal or State law, other than a stockbroker, a commodity broker, or an entity of the kind specified in paragraph (2) or (3) of section 109(b), that is—

''(A) a bank holding company, as defined in section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)); or

''(B) a corporation that exists for the primary purpose of owning, controlling, and financing subsidiaries that are predominantly engaged in activities that the Board of Governors of the Federal Reserve System has determined are financial in nature or incidental to such financial activity for purposes of section 4(k) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(k)).''.

(b) APPLICABILITY OF CHAPTERS.—Section 103 of title 11, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''section 1161'' and inserting ''sections 1161 and 1401''; and

(B) by striking ''or 13'' and inserting ''13, or 14'';

(2) in subsection (g), by inserting ''subsection (m) and'' before ''section''; and

(3) by adding at the end the following:

''(l) Chapter 14 of this title applies only in a case under such chapter.

''(m) Except as otherwise provided in chapter 14 of this title, chapter 11 of this title applies in a case under chapter 14 of this title.''.

(c) WHO MAY BE A DEBTOR.—Section 109 of title 11, United States Code, is amended—

(1) in subsection (d)—

(A) by striking ''and'';

(B) by striking ''or a'' and inserting ''or''; and

(C) by inserting '', or a covered financial corporation'' after ''Federal Deposit Insurance Corporation Improvement Act of 1991''; and

(2) by adding at the end the following:

''(i) Only a covered financial corporation may be a debtor in a case under chapter 14.''.

(d) DISTRIBUTION OF PROPERTY OF THE ESTATE.—Section 726(a)(1) of title 11, United States Code, is amended by inserting ''in payment of any unpaid fees, costs, and expenses of a special trustee appointed under section 1406, and then'' after ''first,''.

(e) CONFIRMATION OF PLAN.—Section 1129(a) of title 11, United States Code, is amended by adding at the end the following:

''(17) In a case under chapter 14, all payable fees, costs, and expenses of the special trustee have been paid or the plan provides for the payment of all such fees, costs, and expenses, as of the effective date of the plan.

''(18) In a case under chapter 14, confirmation of the plan is not likely to cause serious adverse effects on financial stability in the United States.''.

(f) QUALIFICATION OF TRUSTEE.—Section 322(b)(2) of title 11, United States Code, is amended by striking ''The'' and inserting ''In cases under chapter 14, the United States trustee shall recommend to the court, and in all other cases, the''.

SEC. 3. LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION.

(a) IN GENERAL.—Title 11, United States Code, is amended by inserting before chapter 15 the following:

''CHAPTER 14—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

''Sec.
''1401. Inapplicability of other sections.
''1402. Definitions for this chapter.
''1403. Commencement of a case concerning a covered financial corporation.
''1404. Regulators.
''1405. Special transfer of property of the estate.
''1406. Special trustee.
''1407. Automatic stay; assumed debt.
''1408. Treatment of qualified financial contracts and affiliate contracts.
''1409. Licenses, permits, and registrations.
''1410. Conversion to chapter 7.
''1411. Exemption from securities laws.
''1412. Inapplicability of certain avoiding powers.
''1413. Consideration of financial stability.

''§ 1401. Inapplicability of other sections

''Sections 303 and 321(c) do not apply in a case under this chapter.

''§ 1402. Definitions for this chapter

''In this chapter, the following definitions shall apply:

''(1) The term 'Board' means the Board of Governors of the Federal Reserve System.

''(2) The term 'bridge company' means a newly formed corporation to which property of the estate may be transferred under section 1405(a) and the equity securities of which may be transferred to a special trustee under section 1406(a).

''(3) The term 'capital structure debt' means all unsecured debt of the debtor for borrowed money for which the debtor is the primary obligor, other than a qualified financial contract and other than debt secured by a lien on property of the estate that is to be transferred to a bridge company pursuant to an order of the court under section 1405(a).

''(4) The term 'contractual right' means a contractual right of a kind described in section 555, 556, 559, 560, or 561.

''(5) The term 'qualified financial contract' means any contract of a kind defined in paragraph (25), (38A), (47), or (53B) of section 101, section 741(7), or paragraph (4), (5), (11), or (13) of section 761.

''(6) The term 'special trustee' means a trustee appointed under section 1406(a)(2)(A).

''(7) The term 'trustee' means a person who is—

''(A) appointed or elected under section 1104; and

''(B) qualified under section 322 to serve as trustee in the case or, in the absence of such person, the debtor in possession.

''§ 1403. Commencement of a case concerning a covered financial corporation

''(a) IN GENERAL.—A case under this chapter may be commenced by the filing of a petition with the court by an entity that may be a debtor under section 301 if the entity states to the best of its knowledge, under penalty of perjury, in the petition that the entity is a covered financial corporation.

''(b) ORDER FOR RELIEF.—The commencement of a case under subsection (a) constitutes an order for relief under this chapter.

''(c) LIABILITY.—The members of the board of directors (or body performing similar functions) of a covered financial corporation shall not be liable to shareholders, creditors or other parties in interest for—

''(1) a good faith filing of a case under this chapter; or

''(2) for any reasonable action taken, before or after the date on which a case is commenced under this chapter, in good faith in contemplation of or in connection with such a filing or a transfer under section 1405 or section 1406.

''(d) NOTICE TO COURT.—Counsel to the entity that may be a debtor shall provide, to the greatest extent practicable, sufficient confidential notice to the Director of the Administrative Office of the United States Courts and the chief judge of the court of appeals embracing the district in which the case is pending regarding the potential commencement of a case under this chapter without disclosing the identity of the potential debtor to allow the Director and chief judge to designate and ensure the ready availability of 1 of the bankruptcy judges designated under section 298(b)(1) of title 28 to be available to preside over the case.

''§ 1404. Regulators

''The Board, the Securities Exchange Commission, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation may raise and may appear and be heard on any issue in any case or proceeding under this chapter.

''§ 1405. Special transfer of property of the estate

''(a) IN GENERAL.—

''(1) TRANSFER.—On request of the trustee, and after notice and hearing not less than 24 hours after the order for relief, the court may order a transfer under this section of property of the estate, and the assignment of debt, executory contracts, unexpired leases, qualified financial contracts, and agreements of the debtor, to a bridge company. Except as provided under this section, the provisions of sections 363 and 365 shall apply to a transfer and assignment under this section.

''(2) PROPERTY OF ESTATE.—Upon the entry of an order approving a transfer under this section, any property transferred, and any debt, executory contract, unexpired leases, qualified financial contract, or agreement assigned under such order shall no longer be property of the estate.

''(b) NOTICE.—Unless the court orders otherwise, notice of a request for an order under subsection (a) shall consist of electronic or telephonic notice of not less than 24 hours to—

''(1) the holders of the 20 largest secured claims against the debtor;

''(2) the holders of the 20 largest unsecured claims against the debtor;

''(3) counterparties to any debt, executory contract, unexpired lease, qualified financial contract, or agreement requested to be transferred under this section;

''(4) the Board;

''(5) the Federal Deposit Insurance Corporation;

''(6) the Secretary of the Treasury;

''(7) the Comptroller of the Currency;

''(8) the Securities and Exchange Commission;

''(9) the United States trustee or bankruptcy administrator; and

''(10) each primary financial regulatory agency (as defined in section 2(12) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301(12))) with respect to any affiliate the equity securities of which are proposed to be transferred under this section.

''(c) DETERMINATION.—The court may not order a transfer under this section unless the court determines, based upon a preponderance of the evidence, that—

''(1) the transfer under this section is necessary to prevent serious adverse effects on financial stability in the United States;

''(2) the transfer does not provide for the assumption of any capital structure debt by the bridge company;

''(3) the transfer does not provide for the transfer to the bridge company of any property of the estate that is subject to a lien securing a debt, executory contract, unexpired lease, or agreement of the debtor unless—

''(A)(i) the bridge company assumes such debt, executory contract, unexpired lease, or agreement, including any claims arising in respect thereof that would not be allowed secured claims under section 506(a)(1), and after giving effect to such transfer, such property remains subject to the lien securing such debt, executory contract, unexpired lease, or agreement; and

''(ii) the court has determined that assumption of such debt, executory contract, unexpired lease, or agreement by the bridge company is in the best interest of the estate; or

''(B) such property is being transferred to the bridge company in accordance with the provisions of section 363;

''(4) the transfer does not provide for the assumption by the bridge company of any debt, executory contract, unexpired lease, or agreement of the debtor secured by a lien on property in which the estate has an interest unless the transfer provides for such property to be transferred to the bridge company in accordance with paragraph (3)(A) of this subsection;

''(5) the transfer does not provide for the transfer of the equity of the debtor;

''(6) the debtor has demonstrated that the bridge company is not likely to fail to meet the obligations of any debt, executory contract, qualified financial contract, unexpired lease, or other agreement assumed and assigned to the bridge company;

''(7) the transfer provides for the transfer to a special trustee all of the equity securities in the bridge company and appointment of a special trustee in accordance with section 1406;

''(8) after giving effect to the transfer, adequate provision has been made for the payment of the fees, costs, and expenses of the estate and special trustee; and

''(9) the bridge company will have governing documents, and initial directors and senior officers, that are in the best interest of creditors and the estate.

''(d) REQUIREMENTS BEFORE TRANSFER.—Immediately before a transfer under this section, the bridge company that is the recipient of the transfer shall—

''(1) not have any property, debts, executory contracts, unexpired leases, qualified financial contracts, or agreements, other than any property acquired or debts, executory contracts, unexpired leases, qualified financial contracts, or agreements assumed when

acting as a transferee of a transfer under this section; and

''(2) have equity securities that are property of the estate, which may be sold or distributed in accordance with this title.

"§ 1406. Special trustee

''(a) IN GENERAL.—

''(1) TRANSFER TO SPECIAL TRUSTEE.—An order approving a transfer under section 1405 shall require the trustee to transfer to a special trustee all of the equity securities in the bridge company that is the recipient of a transfer under section 1405 to hold in trust for the sole benefit of the estate subject to satisfaction of the special trustee's fees, costs, and expenses. The trust of which the special trustee is the trustee shall be a newly formed trust governed by a trust agreement approved by the court as in the best interests of the estate, and shall exist for the sole purpose of holding and administering, and shall be permitted to dispose of, the equity securities of the bridge company in accordance with the trust agreement.

''(2) APPOINTMENT OF SPECIAL TRUSTEE.—

''(A) IN GENERAL.—A special trustee shall be qualified and independent and shall be appointed by the court.

''(B) PROPOSAL BY TRUSTEE.—In connection with the hearing to approve a transfer under section 1405, the trustee may propose to the court a person to serve as special trustee, if the trustee confirms to the court that the Board has been consulted regarding the identity of the proposed special trustee and advises the court of the results of such consultation.

''(b) TRUST AGREEMENT.—The trust agreement governing a trust formed under subsection (a)(1) shall provide—

''(1) for the payment of the fees, costs, expenses, and indemnities of the special trustee from the assets of the debtor's estate;

''(2) that the special trustee provide—

''(A) quarterly reporting to the estate, which shall be filed with the court; and

''(B) information about the bridge company reasonably requested by a party in interest to prepare a disclosure statement for a plan providing for distribution of any securities of the bridge company if such information is necessary to prepare such disclosure statement;

''(3) that for as long as the equity securities of the bridge company are held by the trust, the special trustee shall file a notice with the court in connection with—

''(A) any change in a director or senior officer of the bridge company;

''(B) any modification to the governing documents of the bridge company; or

''(C) any material corporate action of the bridge company, including—

''(i) recapitalization;

''(ii) a material borrowing;

''(iii) termination of an intercompany debt or guarantee;

''(iv) a transfer of a substantial portion of the assets of the bridge company; or

''(v) the issuance or sale of any securities of the bridge company;

''(4) that any sale of any equity securities of the bridge company shall not be consummated until the special trustee consults with the Federal Deposit Insurance Corporation and the Board regarding such sale and discloses the results of such consultation with the court;

''(5) that, subject to reserves for payments permitted under paragraph (1) provided for in the trust agreement, the proceeds of the sale of any equity securities of the bridge company by the special trustee be held in trust for the benefit of or transferred to the estate;

''(6) the process and guidelines for the replacement of the special trustee; and

''(7) that the property held in trust by the special trustee is subject to distribution in accordance with subsection (c).

''(c) DISTRIBUTION OF ASSETS HELD IN TRUST.—

''(1) IN GENERAL.—The special trustee shall distribute the assets held in trust—

''(A) if the court confirms a plan in the case, in accordance with the plan on the effective date of the plan; or

''(B) if the case is converted to a case under chapter 7 under section 1410.

''(2) TERMINATION.—As soon as practicable after a final distribution under paragraph (1), the office of the special trustee shall terminate, except as may be necessary to wind up and conclude the business and financial affairs of the trust.

''(d) APPLICABILITY.—After a transfer to the special trustee under this section, the special trustee shall be subject only to applicable nonbankruptcy law, and the actions and conduct of the special trustee shall no longer be subject to approval by the court in the case under this chapter.

"§ 1407. Automatic stay; assumption

''(a) AUTOMATIC STAY.—

''(1) IN GENERAL.—A petition filed under section 1403 operates as a stay, applicable to all entities, of the acceleration, termination, or modification of any debt, contract, lease, or agreement of the kind described in paragraph (2), or of any right or obligation under any such debt, contract, lease, or agreement, solely because of—

''(A) a default by the debtor under any such debt, contract, lease, or agreement; or

''(B) a provision in such debt, contract, lease, or agreement, or in applicable nonbankruptcy law, that is conditioned on—

''(i) the insolvency or financial condition of the debtor at any time before the closing of the case;

''(ii) the commencement of a case under this title concerning the debtor;

''(iii) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

''(iv) a credit rating agency rating, or absence or withdrawal of a credit rating agency rating of—

''(I) the debtor at any time after the commencement of the case;

''(II) an affiliate during the 48 hours after the commencement of the case;

''(III) the bridge company while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

''(aa) the bridge company; or

''(bb) an affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1406; or

''(IV) an affiliate while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

''(aa) the bridge company; or

''(bb) the affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1405.

''(2) DEBT, CONTRACT, LEASE, OR AGREEMENT.—A debt, contract, lease, or agreement described in this paragraph—

''(A) is—

''(i) any debt, executory contract, or unexpired lease of the debtor;

''(ii) any agreement under which the debtor issued or is obligated for debt;

''(iii) any debt, executory contract, or unexpired lease of an affiliate; and

''(iv) any agreement under which an affiliate issued or is obligated for debt; and

''(B) does not include capital structure debt or qualified financial contracts.

''(3) TERMINATION OF STAY.—A stay under this subsection terminates—

''(A) as to the debtor, upon the earliest of—

''(i) 48 hours after the commencement of the case;

''(ii) assumption of the debt, contract, lease, or agreement by the bridge company under an order authorizing a transfer under section 1405;

''(iii) a final order of the court denying the request for a transfer of the debt, contract, lease, or agreement under section 1405; or

''(iv) the time the case is dismissed; and

''(B) as to an affiliate, upon the earliest of—

''(i) 48 hours after the commencement of the case, if the court has not ordered a transfer under section 1405;

''(ii) the entry of an order authorizing a transfer under section 1405 in which the direct or indirect interests in the affiliate that are property of the estate are not transferred under section 1405;

''(iii) a final order of the court denying the request for a transfer under section 1405; or

''(iv) the time the case is dismissed.

''(4) APPLICABILITY.—Sections (d), (e), (f), and (g) of section 362 apply to a stay under this subsection.

''(b) ASSUMPTION BY BRIDGE COMPANY.—A debt, executory contract, unexpired lease of the debtor, or any other agreement described in subsection (a)(2), may be assumed by a bridge company in a transfer under section 1405 notwithstanding any provision in an agreement or in applicable nonbankruptcy law that—

''(1) prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

''(2) accelerates, terminates, or modifies, or permits a party other than the debtor to accelerate, terminate, or modify, the debt, contract, lease, or agreement on account of—

''(A) the assignment of the debt, contract, lease, or agreement; or

''(B) a change in control of any party to the debt, contract, lease, or agreement.

''(c) NO ACCELERATION, TERMINATION, OR MODIFICATION OF AGREEMENTS OF DEBTOR.—

''(1) IN GENERAL.—A debt, contract, lease, or agreement of the kind described in subsection (a)(2) may not be accelerated, terminated, or modified, and any right or obligation under such debt, contract, lease, or agreement may not be accelerated, terminated, or modified, as to the bridge company solely because of a provision in the debt, contract, lease, or agreement or in applicable nonbankruptcy law—

''(A) of the kind described in subsection (a)(1)(B) as applied to the debtor;

''(B) that prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

''(C) that accelerates, terminates, or modifies, or permits a party other than the debtor to accelerate, terminate, or modify, the debt, contract, lease or agreement, on account of—

''(i) the assignment of the debt, contract, lease, or agreement; or

''(ii) a change in control of any party to the debt, contract, lease, or agreement.

''(2) DEFAULT.—If there has been a default by the debtor under a provision other than the kind described in paragraph (1) in a debt, contract, lease, or agreement of the kind described in subsection (a)(2), the bridge company may assume such debt, contract, lease, or agreement only if the bridge company—

''(A) cures, or provides adequate assurance in connection with a transfer under section 1405 that the bridge company will promptly cure, the default;

''(B) compensates, or provides adequate assurance in connection with a transfer under section 1405 that the bridge company will

promptly compensate, a party other than the debtor to the debt, contract, lease, or agreement, for any actual pecuniary loss to the party resulting from the default; and

''(C) provides adequate assurance in connection with a transfer under section 1405 of future performance under the debt, contract, lease, or agreement, as determined by the court under section 1405(c)(4).

''§ 1408. Treatment of qualified financial contracts and affiliate contracts

''(a) IN GENERAL.—Notwithstanding sections 362(b)(6), 362(b)(7), 362(b)(17), 362(b)(27), 362(o), 555, 556, 559, 560, and 561, a petition filed under section 1403 operates as a stay, during the period specified in section 1407(a)(3)(A), applicable to all entities, of the exercise of a contractual right—

''(1) to cause the acceleration, termination, modification, or liquidation of a qualified financial contract of the debtor or an affiliate;

''(2) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with a qualified financial contract of the debtor or an affiliate; or

''(3) under any security agreement or arrangement or other credit enhancement forming a part of or related to a qualified financial contract of the debtor or an affiliate.

''(b) PAYMENT AND DELIVERY OBLIGATIONS.—

''(1) IN GENERAL.—During the period specified in section 1407(a)(3)(A), the trustee or the affiliate shall perform all payment and delivery obligations under a qualified financial contract of the debtor or the affiliate, as the case may be, that become due after the commencement of the case. The stay provided under subsection (a) terminates as to a qualified financial contract of the debtor or an affiliate immediately upon the failure of the trustee or the affiliate, as the case may be, to perform any such obligation during such period.

''(2) FAILURE TO PERFORM.—Any failure by a counterparty to any qualified financial contract of the debtor or any affiliate to perform any payment or delivery obligation under such qualified financial contract, including during the pendency of the stay provided under subsection (a), shall constitute a breach of such qualified financial contract by the counterparty.

''(c) ASSIGNMENT OR ASSUMPTION.—Notwithstanding any provision of subsection 1407(b) or applicable nonbankruptcy law, subject to the court's approval, a qualified financial contract between an entity and the debtor may be assigned to or assumed by the bridge company in a transfer under section 1405 only if—

''(1) all qualified financial contracts between the entity and the debtor are assigned to and assumed by the bridge company in the transfer under section 1405;

''(2) all claims of the entity against the debtor under any qualified financial contract between the entity and the debtor (other than any claim that, under the terms of the qualified financial contract, is subordinated to the claims of general unsecured creditors) are assigned to and assumed by the bridge company;

''(3) all claims of the debtor against the entity under any qualified financial contract between the entity and the debtor are assigned to and assumed by the bridge company; and

''(4) all property securing or any other credit enhancement furnished by the debtor for any qualified financial contract described in paragraph (1) or any claim described in paragraph (2) or (3) under any qualified financial contract between the entity and the debtor is assigned to and assumed by the bridge company.

''(d) NO ACCELERATION, TERMINATION, OR MODIFICATION OF QUALIFIED FINANCIAL CONTRACTS.—Notwithstanding any provision of a qualified financial contract or of applicable nonbankruptcy law, a qualified financial contract of the debtor that is assumed by or assigned to the bridge company in a transfer under section 1405 may not be accelerated, terminated, modified, or liquidated after the entry of the order approving a transfer under section 1405, and any right or obligation under the qualified financial contract may not be accelerated, terminated, or modified, after the entry of the order approving a transfer under section 1405 solely because of a provision of the kind described in section 1407(c)(1), other than a provision of the kind described in section 1407(b) that occurs after property of the estate no longer includes a direct beneficial interest or an indirect beneficial interest through the special trustee, in more than 50 percent of the equity securities of the bridge company.

''(e) NO ACCELERATION, TERMINATION, MODIFICATION, OR LIQUIDATION OF AGREEMENTS OF AFFILIATES.—Notwithstanding any provision in any agreement or in applicable nonbankruptcy law, an agreement (including an executory contract, unexpired lease, qualified financial contract, or an agreement under which the affiliate issued or is obligated for debt) of an affiliate that is assumed by or assigned to the bridge company in a transfer under section 1405, and any right or obligation under such agreement, may not be accelerated, terminated, modified, or liquidated after the entry of the order approving a transfer under section 1405 solely because of a provision of the kind described in section 1407(c)(1), other than a provision of the kind described in section 1407(b) that occurs after the bridge company is no longer a direct or indirect beneficial holder of more than 50 percent of the equity securities of the affiliate at any time after the commencement of the case if—

''(1) all direct or indirect interests in the affiliate that are property of the estate are transferred under section 1405 to the bridge company within the period specified in subsection (a);

''(2) the bridge company assumes—

''(A) any guarantee or other credit enhancement issued by the debtor relating to the agreement of the affiliate; and

''(B) any right of setoff, netting arrangement, or debt of the debtor that directly arises out of or directly relates to the guarantee or credit enhancement; and

''(3) any property of the estate that directly serves as collateral for the guarantee or credit enhancement is transferred to the bridge company.

''§ 1409. Licenses, permits, and registrations

''(a) IN GENERAL.—Notwithstanding any otherwise applicable nonbankruptcy law, if a request is made under section 1405 for a transfer of property of the estate, any Federal, State, or local license, permit, or registration that the debtor or an affiliate had immediately before the commencement of the case and that is proposed to be transferred under section 1405 may not be accelerated, terminated, or modified at any time after the request solely on account of—

''(1) the insolvency or financial condition of the debtor at any time before the closing of the case;

''(2) the commencement of a case under this title concerning the debtor;

''(3) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

''(4) a transfer under section 1405.

''(b) VALIDITY OF CERTAIN LICENSES, PERMITS, AND REGISTRATIONS.—Notwithstanding any otherwise applicable nonbankruptcy law, any Federal, State, or local license, permit, or registration that the debtor had immediately before the commencement of the case that is included in a transfer under section 1405 shall be valid and all rights and obligations thereunder shall vest in the bridge company.

''§ 1410. Conversion to chapter 7

''Notwithstanding section 109(b), a court may convert a case under this chapter to a case under chapter 7 if—

''(1) a transfer described in section 1405 has taken place;

''(2) the court has ordered the appointment of a special trustee under section 1406; and

''(3) the court finds, after providing notice and conducting a hearing, that the conversion of the case is in the best interests of the creditors and the estate.

''§ 1411. Exemption from securities laws

''For purposes of section 1145, a security of the bridge company shall be deemed to be a security of a successor to the debtor under a plan if the court approves the disclosure statement for the plan as providing adequate information (as defined in section 1125(a)) about the bridge company and the security.

''§ 1412. Inapplicability of certain avoiding powers

''A transfer made or an obligation incurred by the debtor to an affiliate prior to or after the commencement of the case, including any obligation released by the debtor or the estate to or for the benefit of an affiliate, in contemplation of or in connection with a transfer under section 1405, is not avoidable under section 544, 547, 548(a)(1)(B), or 549, or under any similar nonbankruptcy law.

''§ 1413. Consideration of financial stability

''The court may consider the effect that any decision in connection with this chapter may have on financial stability in the United States.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for title 11, United States Code, is amended by inserting after the item relating to chapter 13 the following:

''14. Liquidation, reorganization, or recapitalization of a covered financial corporation ..... 1401.''.

SEC. 4. AMENDMENTS TO TITLE 28, UNITED STATES CODE.

(a) AMENDMENT TO CHAPTER 13.—Chapter 13 of title 28, United States Code, is amended by adding at the end the following:

''§ 298. Judge for a case under chapter 14 of title 11

''(a) Notwithstanding section 295, the Chief Justice of the United States shall designate not fewer than 10 bankruptcy judges to be available to hear a case under chapter 14 of title 11. Bankruptcy judges may request to be considered by the Chief Justice of the United States for such designation.

''(b)(1) Notwithstanding section 155, a case under chapter 14 of title 11 shall be heard under section 157 by a bankruptcy judge designated under subsection (a), who shall be assigned to hear such case by the chief judge of the court of appeals for the circuit embracing the district in which the case is pending.

''(2) If the bankruptcy judge assigned to hear a case under paragraph (1) is not assigned to the district in which the case is pending, the bankruptcy judge shall be temporarily assigned to the district. To the greatest extent practicable, the approvals required under section 155(a) shall be obtained.

''(c) A case under chapter 14 of title 11, and all proceedings in the case, shall take place in the district in which the case is pending.''.

(b) AMENDMENT TO SECTION 1334.—Section 1334 of title 28, United States Code, is amended by adding at the end the following:

''(f) This section does not grant jurisdiction to the district court after a transfer pursuant to an order under section 1405 of title 11 of any proceeding related to a special trustee appointed, or to a bridge company formed to accomplish a transfer, under section 1405 of title 11.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 28, United States Code, is amended by adding at the end the following:

''298. Judge for a case under chapter 14 of title 11.''.

SEC. 5. LIMITATION ON USE OF FEDERAL FUNDS.

Notwithstanding any other provision of law, no funds appropriated to the Federal Government may be paid to a covered financial corporation (as defined in section 101(9A) of title 11, United States Code, as amended by section 2(a) of this Act), or to a creditor of any covered financial corporation, to satisfy a claim in a case under chapter 14 of title 11, United States Code.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2268. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 2269. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2270. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2271. Mr. MORAN (for himself, Mr. DONNELLY, and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2272. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2273. Mrs. FISCHER (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2274. Mr. BLUNT (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2275. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2276. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2277. Mr. MORAN (for himself, Mr. DONNELLY, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2278. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2279. Mrs. FEINSTEIN (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2280. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2281. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2282. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2283. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2268. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION.

Notwithstanding any other provision of law, no Federal funds may be made available to Planned Parenthood Federation of America, or to any of its affiliates.

SA 2269. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FEDERAL FUNDING OF CERTAIN ENTITIES.

Notwithstanding any other provision of law, no Federal funds shall be made available to any entity that—

(1) is the target of an investigation by an agency of the Federal government; and

(2) performs, or provides any funds to any other entity that performs, an abortion unless in the reasonable medical judgment of the physician involved, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions.

SA 2270. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—ADDITIONAL PROVISIONS

SEC. 62001. REPEAL OF DUPLICATIVE INSPECTION AND GRADING PROGRAM.

(a) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Effective June 18, 2008, section 11016 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2130) is repealed.

(b) AGRICULTURAL ACT OF 2014.—Effective February 7, 2014, section 12106 of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 981) is repealed.

(c) APPLICATION.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) shall be applied and administered as if the provisions of law repealed by this section had not been enacted.

SA 2271. Mr. MORAN (for himself, Mr. DONNELLY, and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BUS AND BUS FACILITIES STATE OF GOOD REPAIR DISCRETIONARY GRANTS.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by adding at the end the following:

''§ 5341. Bus and bus facilities state of good repair discretionary grants

''(a) DEFINITIONS.—In this section—

''(1) the term 'State' means a State of the United States; and

''(2) the term 'territory' means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.

''(b) GENERAL AUTHORITY.—The Secretary shall make grants under this section to assist eligible recipients described in subsection (e)(1) in financing capital projects to maintain bus and bus facilities systems in a state of good repair, including projects—

''(1) to replace, rehabilitate, and purchase buses and related equipment; and

''(2) to construct bus-related facilities.

''(c) GRANT CRITERIA.—In making grants under this section, the Secretary—

''(1) with respect to a bus and bus facilities system, shall consider—

''(A) project readiness;

''(B) the level of commitment of non-Federal funds and the availability of a local financial commitment that exceeds the required non-Federal share of the cost of the project; and

''(C) project justification;

''(2) with respect to the replacement, rehabilitation, and purchase of buses and related equipment, and the construction of bus-related facilities, shall consider—

''(A) condition;

''(B) the need to comply with any applicable legal requirements relating to reinvestment; and

''(C) the status of components; and

''(3) in considering the factors under paragraphs (1) and (2), shall give priority consideration to vehicle age and mileage.

''(d) GRANT REQUIREMENTS.—The requirements of section 5307 apply to recipients of grants made under this section.

''(e) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—

''(1) RECIPIENTS.—Eligible recipients under this section are designated recipients that operate bus service or that allocate funding to bus operators.

''(2) SUBRECIPIENTS.—A designated recipient that receives a grant under this section may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

''(f) GOVERNMENT'S SHARE OF COSTS.—

''(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this section may provide additional local matching amounts.

''(2) REMAINING COSTS.—The remainder of the net project cost shall be provided—

''(A) in cash from non-Government sources other than revenues from providing public transportation services;

''(B) from revenues derived from the sale of advertising and concessions;

''(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital; or

''(D) from amounts received under a service agreement with a State or local social service agency or private social service organization.

''(g) PERIOD OF AVAILABILITY TO RECIPIENTS.—Amounts made available to carry out this section may be obligated by a recipient for 3 fiscal years after the fiscal year in which the amount is appropriated. Not later than 30 days after the end of the 3-year period described in the preceding sentence, any amount that is not obligated on the last day of that period shall be added to the amount that may be appropriated to carry out this section in the next fiscal year.

''(h) FUNDING LIMIT.—Not more than 4 percent of the amounts made available under section 5338 to carry out this section for a fiscal year shall be made available to a single recipient.

''(i) BUS AND BUS FACILITIES FORMULA GRANTS.—

''(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a recipient from receiving a grant under section 5339 and a grant under this section.

''(2) FUNDING FOR FORMULA GRANTS.—Of the amounts made available under section 5338 to carry out this section for a fiscal year, $62,500,000 shall be available for the bus and bus facilities program under section 5339, of which $1,250,000 shall be apportioned to each State.''.

(b) FUNDING.—Section 5338 of title 49, United States Code, is amended—

(1) by redesignating subsections (j) and (k) as subsections (k) and (l), respectively; and

(2) by inserting after subsection (i) the following:

''(j) BUS AND BUS FACILITIES STATE OF GOOD REPAIR DISCRETIONARY GRANTS.—There are authorized to be appropriated out of the Mass Transit Account of the Highway Trust Fund to carry out section 5341—

''(1) $492,000,000 for fiscal year 2016;

''(2) $687,000,000 for fiscal year 2017;

''(3) $777,000,000 for fiscal year 2018;

''(4) $878,000,000 for fiscal year 2019;

''(5) $992,000,000 for fiscal year 2020; and

''(6) $1,389,000,000 fiscal year 2021.''.

(c) INITIAL GRANTS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall begin making grants under section 5341 of title 49, United States Code, as added by subsection (b).

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by adding at the end the following:

''5341. Bus and bus facilities state of good repair discretionary grants.''.

SA 2272. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In section 52203, strike ''$1,000,000,000'' and insert ''$10,000,000,000''.

SA 2273. Mrs. FISCHER (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 429, between lines 20 and 21, insert the following:

SEC. 32009. INTERIM HIRING STANDARD.

(a) DEFINITIONS.—In this section:

(1) ENTITY.—The term ''entity'' means a person acting as—

(A) a shipper or a consignee;

(B) a broker, a freight forwarder, or a household goods freight forwarder (as such terms are defined in section 13102 of title 49, United States Code);

(C) a non-vessel-operating common carrier, an ocean freight forwarder, or an ocean transportation intermediary (as such terms are defined in section 40102 of title 46, United States Code);

(D) an indirect air carrier authorized to operate under a Standard Security Program approved by the Transportation Security Administration;

(E) a customs broker licensed in accordance with section 111.2 of title 19, Code of Federal Regulations;

(F) an interchange motor carrier subject to paragraphs (1)(B) and (2) of section 13902(i); or

(G) a warehouse (as defined in Article 7–102(13) of the Uniform Commercial Code).

(2) MOTOR CARRIER.—The term ''motor carrier'' means a motor carrier or a household goods motor carrier (as such terms are defined in section 13102 of title 49, United States Code) that is subject to Federal motor carrier financial responsibility and safety regulations.

(3) STATE.—The term ''State'' means each of the 50 States, a political subdivision of any such State, any intrastate agency, any other political agency of 2 or more States, the District of Columbia, American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

(b) NATIONAL HIRING STANDARDS FOR MOTOR CARRIERS.—

(1) NATIONAL STANDARD.—Before tendering a shipment, but not more than 35 days before the pickup of a shipment by the hired motor carrier, an entity shall verify that the motor carrier, at the time of such verification—

(A) is registered with and authorized by the Federal Motor Carrier Safety Administration to operate as a motor carrier or household goods motor carrier, if applicable;

(B) has the minimum insurance coverage required by Federal law; and

(C)(i) before the safety fitness determination regulations are issued, does not have an unsatisfactory safety fitness determination issued by the Federal Motor Carrier Safety Administration in force at the time of such verification; or

(ii) beginning on the date that safety fitness determination regulations are implemented, does not have a safety fitness rating issued by the Federal Motor Carrier Safety Administration under such regulations that is the equivalent of the unsatisfactory fitness rating referred to in clause (i).

(2) INTERIM USE OF DATA.—

(A) IN GENERAL.—Only evidence of an entity's compliance with paragraph (1) may be admitted as evidence or otherwise used in a civil action for damages resulting from a claim of negligent selection or retention of such motor carrier against the entity.

(B) EXCLUDED EVIDENCE.—All other motor carrier data created or maintained by the Federal Motor Carrier Safety Administration, including safety measurement system data or analysis of such data, may not be admitted into evidence in a case or proceeding in which it is asserted or alleged that an entity's selection or retention of a motor carrier was negligent.

(C) CESSATION OF EFFECTIVENESS.—Subparagraphs (A) and (B) cease to be effective on the date of completion of the certification under section 32003.

(c) APPLICABILITY.—Notwithstanding any other provision of law, this section shall not apply to any motor carrier transportation contract entered into before the date of the enactment of this Act.

SA 2274. Mr. BLUNT (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 43, between lines 5 and 6, insert the following:

(iii) by adding at the end the following:

''(C) SET-ASIDE FOR CERTAIN OFF-NHS BRIDGES.—Each State shall obligate an amount equal to not less than 50 percent of the amount set aside under subparagraph (A) for off-NHS bridges located on public roads that are not Federal-aid highways.''; and

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SA 2275. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which

was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE __—INVEST IN TRANSPORTATION

SEC. ___101. SHORT TITLE.

This title may be cited as the ''Invest In Transportation Act''.

SEC. ___102. INCENTIVES TO REINVEST FOREIGN EARNINGS IN UNITED STATES.

(a) APPLICABILITY OF TEMPORARY DIVIDENDS RECEIVED DEDUCTION.—

(1) IN GENERAL.—Subsection (f) of section 965 of the Internal Revenue Code of 1986 is amended to read as follows:

''(f) ELECTION.—

''(1) IN GENERAL.—The taxpayer may elect to apply this section to the 5-taxable-year period beginning with—

''(A) the taxpayer's last taxable year which begins before the date of the enactment of the Invest In Transportation Act, or

''(B) the taxpayer's first taxable year which begins during the 1-year period beginning on such date of enactment.

''(2) TIME FOR MAKING ELECTION.—Any election made under this section shall be made on or before the due date (including extensions) for filing the return of tax for the first taxable year in the 5-taxable-year period described in paragraph (1).

''(3) DECLARATION OF AMOUNT REPATRIATED.—An election under this section shall designate a limitation of the aggregate amount of dividends to be taken into account under subsection (a) during the 5-taxable-year period.''.

(2) CONFORMING AMENDMENTS.—

(A) DETERMINATIONS RELATING TO BASE PERIOD FOR DETERMINING EXTRAORDINARY DIVIDENDS.—Section 965 of such Code is amended by striking ''June 30, 2003'' each place it appears in subsections (b)(2) and (c)(2) and inserting ''December 31, 2014''.

(B) DETERMINATIONS RELATING TO RELATED PARTY INDEBTEDNESS.—Section 965(b)(3)(B) of such Code is amended by striking ''October 3, 2004'' and inserting ''December 31, 2014''.

(b) DEDUCTION EQUIVALENT TO 6.5-PERCENT RATE OF TAX.—Paragraph (1) of section 965(a) of the Internal Revenue Code of 1986 is amended by striking ''85 percent'' and inserting ''81.4 percent''.

(c) LIMITATIONS.—

(1) IN GENERAL.—

(A) IN GENERAL.—Paragraph (1) of section 965(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) IN GENERAL.—The amount of dividends taken into account under subsection (a) shall not exceed the United States shareholder's pro rata share of the accumulated earnings and profits described in section 959(c)(3) as of the end of the last taxable year ending on or before December 31, 2014, for all controlled foreign corporations of the United States shareholder.''.

(B) CONFORMING AMENDMENTS.—

(i) Subsection (c) of section 965 of such Code is amended by striking paragraph (1).

(ii) Paragraph (5) of section 965(c) of such Code is amended to read as follows:

''(5) CONTROLLED GROUPS.—All United States shareholders which are members of an affiliated group filing a consolidated return under section 1501 shall be treated as one United States shareholder.''.

(2) ADDITIONAL LIMITATION.—Subsection (b) of section 965 of such Code is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

''(4) ADDITIONAL LIMITATION.—

''(A) IN GENERAL.—The amount of dividends taken into account under subsection (a) for each taxable year during the 5-taxable-year period described in subsection (f)(1) shall not exceed the amount designated in the election under subsection (f)(3) reduced by the sum of—

''(i) the aggregate amount of dividends taken into account under subsection (a) in prior taxable years in such 5-taxable-year period, and

''(ii) the sum of the dividend shortfalls for each such prior taxable year.

''(B) DIVIDEND SHORTFALL.—For purposes of subparagraph (A), the dividend shortfall for any taxable year is an amount equal to the excess (if any) of—

''(i) 20 percent of the amount designated under subsection (f)(3), over

''(ii) the amount of dividends taken into account under subsection (a) for such taxable year.''.

(d) DIVIDEND REINVESTMENT PLAN REQUIREMENTS.—Paragraph (5) of section 965(b) of the Internal Revenue Code of 1986, as redesignated by subsection (c), is amended to read as follows:

''(5) REQUIREMENT TO INVEST IN UNITED STATES.—

''(A) IN GENERAL.—Subsection (a) shall not apply to any dividends received by a United States shareholder unless the amount of the dividends is invested in the United States pursuant to a domestic reinvestment plan which—

''(i) is approved by the taxpayer's president, chief executive officer, or comparable official before the payment of such dividend and subsequently approved by the taxpayer's board of directors, management committee, executive committee, or similar body,

''(ii) provides that not less than 25 percent of such dividends will be used—

''(I) to increase workforce, to raise wages and benefits, or to increase pension contributions,

''(II) to provide for energy efficiency improvements either through investment in new property or the retrofitting of existing property,

''(III) to provide for environmental improvements, such as carbon offsets, water efficiency, or environmental remediation,

''(IV) to invest in public-private partnerships and the improvement of public infrastructure,

''(V) to make capital improvements,

''(VI) for the acquisition of other businesses, or

''(VII) for research and development, and

''(iii) provides that none of such dividends will be used during the period covered by the domestic reinvestment plan to compensate any employee who is the chief executive officer (or is an individual acting in such a capacity), or who is among the 4 highest compensated employees, in excess of the level of compensation paid to individuals in such capacity during the taxable year immediately preceding the taxable year to which an election under this section applies.

For purposes of clause (iii), compensation shall be determined under rules similar to the rules for reporting executive officer compensation to shareholders under the Securities Exchange Act of 1934.

''(B) USE OF CERTAIN FUNDS.—

''(i) IN GENERAL.—Except as provided in clause (ii), dividends shall be treated as meeting the requirements of subclauses (I), (V), and (VII) of subparagraph (A)(ii) only if such amounts supplement but do not supplant otherwise planned funding for such purposes. Such planned funding shall be certified by the individual and entity approving the domestic reinvestment plan.

''(ii) EXCEPTION.—Clause (i) shall not apply if the aggregate funding for the purposes described in subclauses (I), (V), and (VII) of subparagraph (A)(ii) for the 5-taxable-year period described in subsection (f)(1) exceeds 125 percent of the amount spent for such purposes during the 5-year period ending with the last day of the most recent taxable year ending before January 1, 2015. Rules similar to the rules of subparagraphs (B) and (C) of subsection (c)(2) shall apply for purposes of determining the 5-year period under the preceding sentence.

''(C) COMPLIANCE.—Under regulations established by the Secretary, any taxpayer making an election under this section shall submit to the Secretary—

''(i) the domestic reinvestment plan required under this paragraph, and

''(ii) annually thereafter, such information as required by the Secretary for purposes of determining such taxpayer's compliance with the plan, including contemporaneous documentation of compliance and retention requirements for a period of time as determined by the Secretary as appropriate.''.

(e) SPECIAL RULES FOR INVERTED CORPORATIONS.—

(1) IN GENERAL.—Subsection (b) of section 965 is amended by adding at the end the following new paragraph:

''(6) DENIAL OF DEDUCTION FOR CERTAIN COMPANIES.—No deduction shall be allowed under subsection (a) with respect to any expatriated entity (as defined in section 7874(a)(2)).''.

(2) RECAPTURE.—Section 965 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(g) RECAPTURE.—

''(1) IN GENERAL.—In the case of a taxpayer who makes an election under subsection (f) and who is an expatriated entity—

''(A) the tax imposed by this chapter shall be increased for the first taxable year in which such taxpayer becomes an expatriated entity by an amount equal to 20 percent of the amount designated under subsection (f)(3), and

''(B) no credits shall be allowed against the increase in tax under subparagraph (A).

''(2) EXPATRIATED ENTITY.—For purposes of this subsection, the term 'expatriated entity' has the same meaning given such term under section 7874(a)(2), except that—

''(A) 'during the 10-year period beginning with the first taxable year after 2013 to which section 965 applies' shall be substituted for 'after March 4, 2003' in subparagraph (B)(i), and

''(B) 'the first taxable year after 2013 to which section 965 applies' shall be substituted for 'March 4, 2003' in the matter following subparagraph (B)(iii).''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. ___103. TRANSFERS TO HIGHWAY TRUST FUND.

(a) IN GENERAL.—Subsection (f) of section 9503 of the Internal Revenue Code of 1986, as amended by this Act is amended by redesignating paragraph (8) as paragraph (9) and by inserting after paragraph (7) the following new paragraph:

''(8) TRANSFER OF REVENUES FROM REPATRIATION HOLIDAY.—

''(A) INITIAL TRANSFER.—

''(i) IN GENERAL.—Not later than 60 days after the date of the enactment of this paragraph, the Secretary shall estimate the amount of revenues to be received in the Treasury after the date of the enactment of this paragraph and before October 1, 2019, from income taxes imposed on dividends which are taken into account under section 965.

''(ii) TRANSFER.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(I) to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund an amount equal to 80 percent of the amount estimated under subparagraph (A), and

''(II) to the Mass Transit Account in the Highway Trust Fund an amount equal to 20 percent of the amount so estimated.

''(B) ADDITIONAL TRANSFER.—

''(i) IN GENERAL.—Not later than October 1, 2023, the Secretary shall determine the amount of revenues received in the Treasury from income taxes imposed on dividends which were taken into account under section 965 during the period described in subparagraph (A)(i).

''(ii) TRANSFER.—If the amount determined under clause (i) exceeds the amount transferred under subparagraph (A)(ii), out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(I) to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund an amount equal to the applicable percentage of such excess, and

''(II) to the Mass Transit Account in the Highway Trust Fund an amount equal to 20 percent of so much of such excess as does not exceed the applicable amount.

''(iii) APPLICABLE PERCENTAGES.—For purposes of clause (ii), the applicable percentage is—

''(I) 80 percent with respect to so much of excess under subparagraph (B)(ii) as does not exceed the applicable amount, and

''(II) 100 percent with respect the amount of such excess to which subclause (I) does not apply.

''(iv) APPLICABLE AMOUNT.—For purposes of this subparagraph, the applicable amount is the amount (not less than zero) equal to the excess of—

''(I) $62,000,000,000, over

''(II) the amount transferred under subparagraph (A)(ii).''.

(b) RETURN OF EXCESS TRANSFERS.—

(1) IN GENERAL.—Subsection (c) of section 9503 of such Code is amended by adding at the end the following new paragraph:

''(6) RETURN OF EXCESS TRANSFERS.—If the amount of transfers under subparagraph (A)(ii) of subsection (f)(8) exceeds the amount determined under subparagraph (B)(i) of such subsection, the Secretary shall pay to the general fund of the Treasury from the Highway Trust Fund not later than October 1, 2023, an amount equal to such excess.''.

(2) PORTION FROM MASS TRANSIT ACCOUNT.—Paragraph (5) of section 9503 of such Code is amended by adding at the end the following new subparagraph:

''(C) AMOUNTS RELATED TO CERTAIN EXCESS TRANSFERS.—20 percent of any transfer under paragraph (6) of subsection (c) shall be borne by the Mass Transit Account.''.

SEC. ___104. REPAIR, REPLACEMENT, AND REHABILITATION OF DEFICIENT BRIDGES.

(a) DEFICIENT BRIDGE AMOUNT.—For purposes of this section, the deficient bridge amount is so much of the amount transferred to the Highway Account (as defined in section 9503(e)(5)(B) of the Internal Revenue Code of 1986) in the Highway Trust Fund under section 9503(f)(8)(B) of such Code as exceeds the applicable amount (as defined in section 9503(f)(8)(B)(iv) of such Code).

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) an amount equal to the deficient bridge amount to be used for the repair, replacement, or rehabilitation of deficient bridges eligible for assistance under chapter 1 of title 23, United States Code.

(2) CALCULATION OF STATE AMOUNTS.—

(A) STATE APPORTIONMENTS.—The Secretary of Transportation shall apportion the amount authorized to be appropriated under this subsection among the States in accordance with subparagraph (B).

(B) STATE SHARES.—The amount for each State shall be determined by multiplying the total amount available under this subsection by the share for each State, which shall be equal to the proportion that—

(i) the amount of apportionments that the State received under title 23, United States Code, for fiscal year 2019; bears to

(ii) the amount of those apportionments received by all States for that fiscal year.

(3) CONTRACT AUTHORITY.—Funds authorized to be appropriated by this subsection shall—

(A) be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code; and

(B) remain available until expended and not be transferrable.

SA 2276. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—CARRYING OF FIREARMS ON MILITARY INSTALLATIONS

SEC. ____1. SHORT TITLE.

This title may be cited as the ''Servicemembers Self-Defense Act of 2015''.

SEC. ____2. FIREARMS PERMITTED ON DEPARTMENT OF DEFENSE PROPERTY.

Section 930(g)(1) of title 18, United States Code, is amended—

(1) by striking ''The term 'Federal facility' means'' and inserting the following: ''The term 'Federal facility'—

''(A) means'';

(2) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(B) with respect to a qualified member of the Armed Forces, as defined in section 926D(a), does not include any land, a building, or any part thereof owned or leased by the Department of Defense.''.

SEC. ____3. LAWFUL POSSESSION OF FIREARMS ON MILITARY INSTALLATIONS BY MEMBERS OF THE ARMED FORCES.

(a) MODIFICATION OF GENERAL ARTICLE.—Section 934 of title 10, United States Code (article 134 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Though not specifically mentioned''; and

(2) by adding at the end the following new subsection:

''(b) POSSESSION OF A FIREARM.—The possession of a concealed or open carry firearm by a member of the armed forces subject to this chapter on a military installation, if lawful under the laws of the State in which the installation is located, is not an offense under this section.''.

(b) MODIFICATION OF REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall amend Department of Defense Directive number 5210.56 to provide that members of the Armed Forces may possess firearms for defensive purposes on facilities and installations of the Department of Defense in a manner consistent with the laws of the State in which the facility or installation concerned is located.

SEC. ____4. CARRYING OF CONCEALED FIREARMS BY QUALIFIED MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following

''§ 926D. Carrying of concealed firearms by qualified members of the Armed Forces

''(a) DEFINITIONS.—As used in this section—

''(1) the term 'firearm'—

''(A) except as provided in this paragraph, has the same meaning as in section 921;

''(B) includes ammunition not expressly prohibited by Federal law or subject to the provisions of the National Firearms Act; and

''(C) does not include—

''(i) any machinegun (as defined in section 5845 of the National Firearms Act);

''(ii) any firearm silencer; or

''(iii) any destructive device; and

''(2) the term 'qualified member of the Armed Forces' means an individual who—

''(A) is a member of the Armed Forces on active duty status, as defined in section 101(d)(1) of title 10;

''(B) is not the subject of disciplinary action under the Uniform Code of Military Justice;

''(C) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

''(D) is not prohibited by Federal law from receiving a firearm.

''(b) AUTHORIZATION.—Notwithstanding any provision of the law of any State or any political subdivision thereof, an individual who is a qualified member of the Armed Forces and who is carry identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (c).

''(c) LIMITATIONS.—This section shall not be construed to superseded or limit the laws of any State that—

''(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

''(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

''(d) IDENTIFICATION.—The identification required by this subsection is the photographic identification issued by the Department of Defense for the qualified member of the Armed Forces.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

''926D. Carrying of concealed firearms by qualified members of the Armed Forces.''.

SA 2277. Mr. MORAN (for himself, Mr. DONNELLY, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. COMMERCIAL DELIVERY OF LIGHT- AND MEDIUM-DUTY TRAILERS.

(a) DEFINITIONS.—Section 31111(a) of title 49, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (6);

(2) by redesignating paragraph (2) as paragraph (3);

(3) by redesignating paragraph (4) as paragraph (2); and

(4) by inserting after paragraph (3) the following:

''(4) TOWAWAY TRAILER TRANSPORTER COMBINATION.—The term 'towaway trailer transporter combination' means a combination of vehicles consisting of a trailer transporter towing unit and 2 trailers or semitrailers—

''(A) with a total combined weight that does not exceed 26,000 pounds; and

''(B) in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers.

''(5) TRAILER TRANSPORTER TOWING UNIT.—The term 'trailer transporter towing unit' means a power unit that is not used to carry property while operating in a towaway trailer transporter combination.''.

(b) GENERAL LIMITATIONS.—Section 31111(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking ''or'' at the end;

(2) in subparagraph (F), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(G) has the effect of imposing an overall length limitation of less than 82 feet on a towaway trailer transporter combination.''.

(c) CONFORMING AMENDMENTS.—

(1) PROPERTY-CARRYING UNIT LIMITATION.—Section 31112(a)(1) of title 49, United States Code, is amended by inserting ''or trailers or semitrailers transported as part of a towaway trailer transporter combination (as defined in section 31111(a)'' after ''truck tractor''.

(2) ACCESS TO INTERSTATE SYSTEM.—Section 31114(a)(2) of title 49, United States Code, is amended—

(A) by striking ''or''; and

(B) by inserting '', or any towaway trailer transporter combination (as defined in section 31111(a)) that is not longer than 82 feet'' before the period at the end.

SA 2278. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ELIGIBILITY REQUIREMENTS FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) FUNDING.

(a) IN GENERAL.—Section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) is amended by adding at the end the following:

''(7) A State (or a political subdivision of a State) shall not be eligible to enter into a contractual arrangement under paragraph (1) if the State (or political subdivision)—

''(A) has in effect any law, policy, or procedure in contravention of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

''(B) prohibits State or local law enforcement officials from gathering information regarding the citizenship or immigration status, lawful or unlawful, of any individual.''.

(b) LIMITATION ON DOJ GRANT PROGRAMS.—

(1) COPS.—In the case of a State or unit of local government that received a grant award under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), if, during a fiscal year, that State or local government is a State or local government described in subsection (c), the Attorney General shall withhold all of the amount that would otherwise be awarded to that State or unit of local government for the following fiscal year.

(2) BYRNE-JAG.—In the case of a State or unit of local government that received a grant award under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), if, during a fiscal year, that State or unit of local government is described in subsection (c), the Attorney General shall withhold all of the amount that would otherwise be awarded to that State or unit of local government for the following fiscal year.

(3) STATES AND LOCAL GOVERNMENTS DESCRIBED.—A State or unit of local government described in this subsection is any State or local government that—

(A) has in effect any law, policy, or procedure in contravention of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

(B) prohibits State or local law enforcement officials from gathering information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

SA 2279. Mrs. FEINSTEIN (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. THE SECRETARY OF TRANSPORTATION MAY PROMULGATE A RULEMAKING TO INCREASE THE MINIMUM LENGTH LIMITATION THAT A STATE MAY PRESCRIBE FOR A TRUCK TRACTOR-SEMITRAILER-TRAILER COMBINATION UNDER SECTION 31111(b)(1)(A) OF TITLE 49, UNITED STATES CODE, FROM 28 FEET TO 33 FEET IF THE SECRETARY MAKES A STATISTICALLY SIGNIFICANT FINDING, BASED ON THE FINAL COMPREHENSIVE TRUCK SIZE AND WEIGHT LIMITS STUDY REQUIRED UNDER SECTION 32801 OF THE COMMERCIAL MOTOR VEHICLE SAFETY ENHANCEMENT ACT OF 2012 (TITLE II OF DIVISION C OF PUBLIC LAW 112–141), THAT SUCH CHANGE WOULD NOT HAVE A NET NEGATIVE IMPACT ON PUBLIC SAFETY.

SA 2280. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 11014 (relating to transportation alternatives).

SA 2281. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPEAL OF DAVIS-BACON WAGE REQUIREMENTS.

(a) IN GENERAL.—Subchapter IV of chapter 31 of title 40, United States Code, is repealed.

(b) REFERENCE.—Any reference in any law to a wage requirement of subchapter IV of chapter 31 of title 40, United States Code, shall be null and void.

(c) EFFECTIVE DATE AND LIMITATION.—Subsections (a) and (b), and the amendment made by such subsections, shall take effect 30 days after the date of enactment of this Act but shall not affect any contract—

(1) in existence on the date that is 30 days after such date of enactment; or

(2) made pursuant to an invitation for bids outstanding on the date that is 30 days after such date of enactment.

SA 2282. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON USE OF FEDERAL FUNDS FOR ABORTION.

(a) PROHIBITION.—Notwithstanding any other provision of law and except as described in subsections (b) and (c), no funds authorized or appropriated by Federal law, and none of the funds in any trust fund to which Federal funds are authorized or appropriated, including Federal grant awards and reimbursements, may be made available to any entity unless the entity certifies that, during the period of receipt and use of such Federal funds, the entity will not perform, and will not provide any funds to any other entity that performs, an abortion.

(b) EXCEPTIONS.—Subsection (a) shall not apply with respect to an abortion where —

(1) the pregnancy is the result of rape or incest; or

(2) a physician certifies that the woman suffers from a physical disorder, physical injury, or physical illness that would place the woman in danger of death unless an abortion

is performed, including a life-threatening physical condition caused by or arising from the pregnancy itself.

(c) HOSPITALS.—Subsection (a) shall not apply with respect to a hospital, so long as such hospital does not, during the period of receipt and use of Federal funds described in subsection (a), provide funds to any non-hospital entity that performs an abortion (other than an abortion described in subsection (b)).

(d) DEFINITIONS.—In this section—

(1) the term ''entity'' includes the entire legal entity, including any entity that controls, is controlled by, or is under common control with such entity; and

(2) the term ''hospital'' has the meaning given such term in section 1861(e) of the Social Security Act (42 U.S.C. 1395x(e)).

SA 2283. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON USE OF FEDERAL FUNDS FOR ABORTION.

(a) PROHIBITION.—Notwithstanding any other provision of law and except as described in subsections (b) and (c), no funds authorized or appropriated by Federal law, and none of the funds in any trust fund to which Federal funds are authorized or appropriated, including Federal grant awards and reimbursements, may be made available to any entity unless the entity certifies that, during the period of receipt and use of such Federal funds, the entity will not perform, and will not provide any funds to any other entity that performs, an abortion.

(b) EXCEPTIONS.—Subsection (a) shall not apply with respect to an abortion where —

(1) the pregnancy is the result of rape or incest; or

(2) a physician certifies that the woman suffers from a physical disorder, physical injury, or physical illness that would place the woman in danger of death unless an abortion is performed, including a life-threatening physical condition caused by or arising from the pregnancy itself.

(c) HOSPITALS.—Subsection (a) shall not apply with respect to a hospital, so long as such hospital does not, during the period of receipt and use of Federal funds described in subsection (a), provide funds to any non-hospital entity that performs an abortion (other than an abortion described in subsection (b)).

(d) DEFINITIONS.—In this section—

(1) the term ''entity'' includes the entire legal entity, including any entity that controls, is controlled by, or is under common control with such entity; and

(2) the term ''hospital'' has the meaning given such term in section 1861(e) of the Social Security Act (42 U.S.C. 1395x(e)).

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, I would like to announce that the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on July 29, 2015, at 9 a.m., in room SH–430 of the Hart Senate Office Building, to conduct a hearing entitled ''Reauthorizing the Higher Education Act: Combating Campus Sexual Assault.''

For further information regarding this meeting, please contact Jake Baker of the committee staff on (202) 224–8484.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 22, 2015, at 10 a.m., in room SR–253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 22, 2015, at 2 p.m., to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, on July 22, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Reauthorizing the Higher Education Act: Exploring Barriers and Opportunities within Innovation.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 22, 2015, at 10 a.m., to conduct a hearing entitled ''Protecting the Electric Grid from the Potential Threats of Solar Storms and Electromagnetic Pulse.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on July 22, 2015, in room SH–216 of the Hart Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''Safeguarding the Integrity of Indian Gaming.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 22, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on July 22, 2015, at 10 a.m., in room SR–428A of the Russell Senate Office Building to conduct a hearing entitled ''Targeted Tax Reform: Solutions to Relieve the Tax Compliance Burden(s) for America's Small Businesses.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on July 22, 2015, at 2:30 p.m. in room SR–418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. INHOFE. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on July 22, 2015, at 2:15 p.m., in room SD–562 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Doctor Is Not In: Combating Medicare Provider Enrollment Fraud.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT, AGENCY ACTION, FEDERAL RIGHTS, AND FEDERAL COURTS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts, be authorized to meet during the session of the Senate, on July 22, 2015, at 1:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''With Prejudice: Supreme Court Activism and Possible Solutions.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on July 22, 2015, at 10:15 a.m., to conduct a hearing entitled ''Oversight of the Financial Stability Oversight Council Designation Process.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Lisa Smith, be granted privileges of the floor for the remainder of the day.

The PRESIDING OFFICER. Without objection.

Mr. COONS. Mr. President, I ask unanimous consent that a member of my staff, Erica Sensenbrenner, be granted privileges of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

CRIMINAL ANTITRUST ANTI-RETALIATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 151, S. 1599.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1599) to provide anti-retaliation protections for antitrust whistleblowers.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Criminal Antitrust Anti-Retaliation Act of 2015''.

SEC. 2. AMENDMENT TO ACPERA.

The Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (Public Law 108–237; 15 U.S.C. 1 note) is amended by inserting after section 215 the following:

''SEC. 216. ANTI-RETALIATION PROTECTION FOR WHISTLEBLOWERS.

''(a) WHISTLEBLOWER PROTECTIONS FOR EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND AGENTS.—

''(1) IN GENERAL.—No employer may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against a covered individual in the terms and conditions of employment of the covered individual because of any lawful act done by the covered individual—

''(A) to provide or cause to be provided to the employer or the Federal Government information relating to—

''(i) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, the antitrust laws; or

''(ii) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with an investigation by the Department of Justice of a potential violation of the antitrust laws; or

''(B) to cause to be filed, testify in, participate in, or otherwise assist a Federal Government investigation or a Federal Government proceeding filed or about to be filed (with any knowledge of the employer) relating to—

''(i) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, the antitrust laws; or

''(ii) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with an investigation by the Department of Justice of a potential violation of the antitrust laws.

''(2) LIMITATION ON PROTECTIONS.—Paragraph (1) shall not apply to any covered individual if—

''(A) the covered individual planned and initiated a violation or attempted violation of the antitrust laws;

''(B) the covered individual planned and initiated a violation or attempted violation of another criminal law in conjunction with a violation or attempted violation of the antitrust laws; or

''(C) the covered individual planned and initiated an obstruction or attempted obstruction of an investigation by the Department of Justice of a violation of the antitrust laws.

''(3) DEFINITIONS.—In this section:

''(A) ANTITRUST LAWS.—The term 'antitrust laws' means section 1 or 3 of the Sherman Act (15 U.S.C. 1 and 3).

''(B) COVERED INDIVIDUAL.—The term 'covered individual' means an employee, contractor, subcontractor, or agent of an employer.

''(C) EMPLOYER.—The term 'employer' means a person, or any officer, employee, contractor, subcontractor, or agent of such person.

''(D) FEDERAL GOVERNMENT.—The term 'Federal Government' means—

''(i) a Federal regulatory or law enforcement agency; or

''(ii) any Member of Congress or committee of Congress.

''(E) PERSON.—The term 'person' has the same meaning as in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)).

''(4) RULE OF CONSTRUCTION.—The term 'violation', with respect to the antitrust laws, shall not be construed to include a civil violation of any law that is not also a criminal violation.

''(b) ENFORCEMENT ACTION.—

''(1) IN GENERAL.—A covered individual who alleges discharge or other discrimination by any employer in violation of subsection (a) may seek relief under subsection (c) by—

''(A) filing a complaint with the Secretary of Labor; or

''(B) if the Secretary of Labor has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

''(2) PROCEDURE.—

''(A) IN GENERAL.—A complaint filed with the Secretary of Labor under paragraph (1)(A) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

''(B) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to any individual named in the complaint and to the employer.

''(C) BURDENS OF PROOF.—A complaint filed with the Secretary of Labor under paragraph (1)(A) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code.

''(D) STATUTE OF LIMITATIONS.—A complaint under paragraph (1)(A) shall be filed with the Secretary of Labor not later than 180 days after the date on which the violation occurs.

''(E) CIVIL ACTIONS TO ENFORCE.—If a person fails to comply with an order or preliminary order issued by the Secretary of Labor pursuant to the procedures set forth in section 42121(b) of title 49, United States Code, the Secretary of Labor or the person on whose behalf the order was issued may bring a civil action to enforce the order in the district court of the United States for the judicial district in which the violation occurred.

''(c) REMEDIES.—

''(1) IN GENERAL.—A covered individual prevailing in any action under subsection (b)(1) shall be entitled to all relief necessary to make the covered individual whole.

''(2) COMPENSATORY DAMAGES.—Relief for any action under paragraph (1) shall include—

''(A) reinstatement with the same seniority status that the covered individual would have had, but for the discrimination;

''(B) the amount of back pay, with interest; and

''(C) compensation for any special damages sustained as a result of the discrimination including litigation costs, expert witness fees, and reasonable attorney's fees.

''(d) RIGHTS RETAINED BY WHISTLEBLOWERS.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any covered individual under any Federal or State law, or under any collective bargaining agreement.''.

Mr. LEAHY. Mr. President, I applaud the Senate is passing bipartisan legislation that will protect employees who blow the whistle on criminal antitrust violations. The Criminal Antitrust Anti-Retaliation Act is legislation that I have worked on with Senator GRASSLEY for three Congresses now. This is the second Congress in a row that the Senate has passed it unanimously. The bill is an extension of my longstanding partnership with Senator GRASSLEY on whistleblower issues.

Our bipartisan bill provides meaningful protections to employees who blow the whistle on the worst forms of anticompetitive behavior such as price fixing. Whistleblowers play an important role in alerting the public, Congress, and law enforcement agencies to wrongdoing in a number of areas. They often take significant risks in making these disclosures and can be the target of retaliation. The Criminal Antitrust Anti-Retaliation Act prohibits employers from retaliating against employees who alert the company, Congress, or law enforcement of criminal activity.

Senator GRASSLEY and I modeled this legislation on the whistleblower protections we authored as part of the Sarbanes-Oxley Act. The protections are narrowly tailored and do not provide whistleblowers with an economic incentive to bring forth false claims. Last Congress, we made modest changes to the bill in the Judiciary Committee to improve the definition of a covered individual and to clarify that protections only apply to employees reporting criminal violations. This Congress, we made additional refinements in the Judiciary Committee to further clarify the scope of the bill. The protections in this bill build on recommendations from key stakeholders in a 2011 Government Accountability Office report to Congress.

Consumers benefit from competitive markets and the antitrust laws serve to safeguard competition. By protecting those who would blow the whistle on criminal antitrust behavior, our bill will help facilitate the reporting of these kinds of violations. I urge the House to pass this bipartisan legislation.

I ask unanimous consent that a letter in support of the bill from the National Whistleblowers Center be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL WHISTLEBLOWER CENTER,
Washington, DC, July 17, 2015.

Re Criminal Antitrust Anti-Retaliation Act of 2015.

Hon. CHARLES E. GRASSLEY,
Senate Committee on the Judiciary,
Washington, DC.
Hon. PATRICK LEAHY,
Senate Committee on the Judiciary,
Washington, DC.

DEAR SENATORS, I am writing to you in support of the Criminal Antitrust Anti-Retaliation Act of 2015. This legislation will extend whistleblower protection for employees who provide information to the Department of Justice related to criminal antitrust violations. This Bill will create, for the first time, whistleblower protections for employees who report antitrust violations.

The protections in this bill were recommend by the Government Accountability Office in a 2011 report and will plug a loophole in the patchwork of whistleblower protection that currently exists. Current laws in place do not provide any protections for innocent third parties who blow the whistle on criminal antitrust activity. The proposed Bill will allow employees to file an action with the Department of Labor in the event that they are retaliated against for reporting criminal violations of the antitrust laws.

Numerous studies have shown that employees are the first defense to prevent fraud and white-collar crime. Such crimes harm businesses, consumers, and our economy. Investigators rely heavily on information from insiders to protect the public interest and prevent illegal competitive practices. The brave individuals that report antitrust violations should be protected.

This is a narrow but important bill that will help to improve enforcement of the antitrust laws.

STEPHEN M. KOHN,
Executive Director.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 1599), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR THURSDAY, JULY 23, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, July 23; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 22, postcloture; lastly, that all time during the adjournment of the Senate count postcloture on the motion to proceed to H.R. 22.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:22 p.m., adjourned until Thursday, July 23, 2015, at 9:30 a.m.

EXTENSIONS OF REMARKS

EXPORT-IMPORT BANK

SPEECH OF

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 2015

Mr. NEWHOUSE. Mr. Speaker, tonight we've heard from Representatives from all over the country—from my home state of Washington, to Oklahoma, to Florida—about the economic importance of the Export-Import Bank to our nation. Before we conclude for the evening, there were three other topics I wanted to discuss—wine, music stands, and mint oil. As unrelated as these three things sound, they have a couple of important commonalities. First, these are small businesses in Washington State that create all three of these products. L'Ecole Winery in Walla Walla makes a fantastic, award-winning Bordeaux blend, and sells their wines in over 20 countries. I had the chance to recently tour the Manhasset Specialty Company, located in Yakima, Washington, which manufactures and sells the gold-standard of music stands the world over. Norwest Ingredients, a company located in Royal City, Washington, grows and refines mint extract, and sells it around the globe to food and pharmaceutical producers for flavoring.

The other thing these three businesses have in common, besides making some of the best products in the world, is that they all use Export-Import Bank financing to share their products with the world. They are great examples of small businesses utilizing the Bank—and for the record, they are definitely small businesses, employing a total of 43 full-time employees between the three of them, and that number is growing. In fact, to clear up a common misconception about the Ex-Im Bank, in fiscal year 2014, an astounding 89% of the Export-Import Bank's loans were to small businesses. When these small businesses are seeking to export their product—that is, to grow their businesses and create jobs—they often need financing to do that. However, selling your product in Sidney or Seoul is not the same thing as selling it in St. Louis or San Francisco. When selling overseas, under a different set of laws, sometimes there's little recourse if you have issues with getting paid for your goods. Or say there's a natural disaster or labor dispute—how then can you access your product or the money you're owed? When your product spends six weeks on a barge, and your money is locked in that product in a crate, sometimes you need capital that's just not accessible. In some countries, just to access their markets and sell your products you have to have an insurance guarantee from your home country. And that's where the Export-Import Bank comes in.

The Export-Import Bank supplements private financiers, providing direct loans, working capital, loan guarantees, and other forms of financial insurance, allowing these businesses to reach markets and sell goods they would be unable to otherwise.

Critics on one side argue this simply means these ventures are too risky, and shouldn't be entered into if private financing can't handle the job. On the other side, they argue the reason private financiers can't handle it is because Ex-Im crowds them out of the market, offering rates private finance can't compete with. But, if we look at the evidence, we can see both of these claims are just not true. If the Export-Import Bank backed inherently risky ventures, then how do we account for the 0.175% default rate on Ex-Im loans? This rate is far below the standard market rate, meaning that the Bank's loans are careful, and judicious with taxpayer dollars. As for the Export-Import Bank crowding private lenders out of the market, right now Ex-Im requires in its charter that the Bank only, and I quote only, ''supplement and encourage, and not compete with private capital.'' It also requires that the Export-Import Bank provide an annual report to Congress with a breakdown of all of their loans, demonstrating that private lenders were either unable or unwilling to offer these loans.

However, I would agree with critics that this isn't enough, and we should go further. That's one of the reasons I'm a cosponsor of Mr. Fincher's Export-Import Reform legislation, H.R. 597, the Reform Exports and Expand the American Economy Act. Mr. Fincher's bill reiterates that the Export-Import Bank is the ''lender of last resort'' to companies, and that companies seeking credit must demonstrate they've tried to procure private financing before they can even be considered for Ex-Im financing.

Mr. Fincher's Export-Import reform bill would make other positive changes to the Bank as well. It would require the Government Accountability Office (GAO) to regularly audit Ex-Im's fraud control measures, as well as their loan, insurance, and guarantee programs. This legislation would require that the Bank's Board of Directors publish an annual list of countries that loan participants should not be doing business with, whether it's because they violate human rights, aid our nation's enemies, or for other foreign policy reason. These are good, ethical reforms that should be made. The reform legislation would also impose capital reserve requirements on Ex-Im so that, while unlikely, should a financial crisis affect the Bank, it will have strong capital reserves to protect taxpayer dollars.

Mr. Speaker, my colleagues and I aren't asking for a straight reauthorization of Ex-Im—we think there are improvements that can and should be made to the Bank. And we would love to work with those who are critical of the Export-Import Bank to join us in reforming the Bank so that it's more accountable, it's more supportive of the free market, and is a better steward of taxpayer dollars.

Speaking of taxpayer dollars, there's another common myth about the Export-Import Bank that I would like to clear up. Critics of the Bank claim that it's a huge consumer of taxpayer dollars, and that it constantly risks those funds. However, this couldn't be further from the truth. When a business takes out a loan, just like everyone else, they have to repay that balance with interest—and that's where the Export-Import Bank, like any other lender, makes its revenue.

To quote from a June 17, 2015 Congressional Research Service report, ''Ex-Im Bank's activities in FY2013 were estimated to reduce the budget deficit by $1 billion in FY2013, and are estimated to reduce the budget deficit by $570 million in FY2014.''

Let me repeat that to let it sink in—two years ago, Ex-Im reduced our federal deficit by a billion dollars, and last year it reduced it by $570 million. Some of the most ardent critics of the Bank are fellow conservative friends of mine, who are just as concerned with federal spending as I am. That's why I have a hard time understanding how they can advocate for ending a program that is helping to curb our deficits by half a billion to a billion dollars annually.

Another misconception I'd like to address is that allowing Export-Import Bank to permanently expire won't cost our country jobs—it certainly will. It's estimated that every year, Ex-Im helps our nation's businesses support about 167,000 jobs. To put this into perspective, that's more than half the population of St. Louis, Missouri. Those are jobs we will be forfeiting if we allow Ex-Im to permanently expire.

Moreover, allowing expiration of the Export-Import Bank will put our nation at a permanent trade disadvantage. Currently, every other nation in the Organization for Economic Cooperation and Development (OECD) has their own Export-Import Bank to support their country's producers—Britain, Korea, Mexico, Italy, Estonia—you name it. And some of them are enormous. Germany's bank backs $22.6 billion in exports annually—significantly more than the U.S.'s average of $14.5 billion. And China's is off the charts—backing $45.5 billion in exports annually. For those of you keeping track, that's over three times the size of our Bank.

In fact, the Chairman of India's Export-Import Bank in a recent interview with Business Insider was asked for his thoughts on the U.S. Bank expiring. His response? ''With the U.S. Ex-Im Bank closing down, we would now have more market, because Indian products were competed by U.S. products.'' Right now, these other nations are looking for every advantage they can get for their businesses to grow their economies, and they see the U.S. willingly retracting from the global stage and conceding market share. If we would like to maintain U.S. strength abroad, allowing expiration of the Export-Import Bank is a poor strategic decision.

Mr. Speaker, in conclusion, now is the time to reform and reauthorize the Export-Import Bank, and I encourage House leadership to allow us to vote on its reauthorization as soon as possible. The Export-Import Bank helps our nation's small businesses grow and create jobs. It reduces our nation's federal deficit, and makes us more competitive on the global stage. Could it use reforms? Certainly—there isn't an institution out there that couldn't, and

I'd love to work with my friends who are critical of the Bank to see these reforms put in place. But we can't willingly remove tools from our arsenal if we want to keep our great nation strong and competitive for decades to come.

HONORING THE LIFE OF ROBERT EUGENE BARTELS

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mrs. WALORSKI. Mr. Speaker, I rise today to honor the life of Robert Eugene Bartels, who passed away at the age of 78, in South Bend, Indiana on July 17, 2015.

Bob was born in 1937 in Zanesville, Ohio to the late Martin H. and Verna K. Bartels. In 1959, he graduated from Purdue University earning a Bachelor of Science in mechanical engineering. He joined General Electric and worked in various East Coast cities. In 1962, while visiting a fraternity brother in South Bend, he met Nancy Tarnow on a blind date. They later married and settled in Providence, Rhode Island.

In 1964, Martin and Jane Tarnow offered Bob an opportunity to join Martin's Super Markets as a right-hand executive with the company. With Nancy as a partner and trusted confidante, Bob led Martin's Super Markets through many changes during his tenure.

He developed a single 'mom and pop' Martin's Super Market into an innovative, respected store chain covering much of Indiana. Today, these stores are more than just a supermarket; they are the glue that holds our Hoosier communities together.

At 51, he became an employee of the supermarket and served as president and CEO beginning in 1973, and as chairman beginning in 2005.

Under Bob's leadership, Martin's Super Markets grew into a fully functioning corporation by adding 19 additional stores, relocating six and completing countless updates and remodeling projects under his watch.

In addition, he oversaw the introduction of many of the company's most popular features, such as Side Door Deli Cafes, Starbucks Coffee kiosks, catering, and more. Bob was instrumental in expanding Martin's Super Market's commitment to its communities, with fundraisers such as Heat for Homes, Roofsit, Advantages of Education and student scholarship programs, both public and private.

Bob served his community and industry in many roles, including as former trustee of the Stanley Clark School in South Bend, Indiana; former director of St. Joseph County Chamber of Commerce; former director of his local YMCA; and former trustee of Project Future in South Bend, Indiana.

Make no mistake, Bob was a man gifted with a powerful intellect and the ability to understand great complexities, reduce them into simple concepts, and put them to work. He was a good steward and defined his responsibilities expansively.

His commitment to personal excellence, education, demanding workloads, and his ability to turn opportunity into accomplishment were inspiring. His commitment to high personal standards of conduct and seemingly tireless effort and engagement were his way of showing his love for his family, colleagues and friends.

Mr. Speaker, I ask the entire U.S. House of Representatives to join me in expressing our deepest sympathy to Bob Bartels and the entire Bartels family.

25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. DENT. Mr. Speaker, I rise today to bring recognition to the 25th Anniversary of the Americans with Disabilities Act. This legislation, signed into law by President George H.W. Bush on July 26, 1990, serves as a sterling example of the great things Congress can accomplish for the American people when we work together with amity in a spirit of cooperation.

The ADA codified important rights for those of our fellow Americans with disabilities. It made us a stronger, more diverse and more inclusive society. By lifting restrictions it elevated hopes and by removing barriers it opened up opportunities.

Good Shepherd, a nationally recognized rehabilitation center, located in my hometown of Allentown, will be holding a year-long series of art and cultural events in conjunction with the Lehigh Valley Arts Council highlighting accessibility and inclusion for persons with disabilities in the arts.

I ask the House to join me in commending both Good Shepherd and the Lehigh Valley Arts council for the outstanding services they provide to the people of my community.

Finally, Mr. Speaker, I ask that we all take a moment to reflect on the achievement of the Americans with Disabilities Act itself. The creation and passage of such well-thought-out, beneficial and bipartisan legislation like the ADA Act should always be the goal of the House.

HONORING CHARLES S. CROMPTON

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today with my friend and colleague, Congressman JOHN CARNEY, to recognize the Honorable Charles Crompton, who took his Oath as Judge of the Superior Court of California for the City and County of San Francisco on June 17, 2015. Since becoming a member of the California Bar, Mr. Crompton has enjoyed a distinguished legal career as a litigation partner with Latham & Watkins LLP and as the Director of the Drop in Legal Clinic at GLIDE in San Francisco.

During his time with Latham & Watkins, Charles Crompton was a member of the firm's Intellectual Property Practice, Technology Transactions Practice and Antitrust & Competition Practice. He successfully handled numerous jury trials, bench trials, arbitrations, and appeals for high profile clients in the technology, biotechnology, mining, energy, and construction industries. Charles Crompton also arbitrated a number of technology disputes before the American Arbitration Association and the International Chamber of Commerce.

In addition, Mr. Crompton has written several articles for publications that include: The Daily Journal, Antitrust Magazine, and The Computer Lawyer. He has lectured on intellectual property law for the Practicing Law Institute, Stanford Law School, and UC Berkeley's Boalt Hall, among others.

In 2014, Charles Crompton withdrew from private practice to dedicate himself full-time to the free Drop-In Legal Clinic that he founded at GLIDE, an organization that has served poor and disenfranchised residents of San Francisco's Tenderloin neighborhood for fifty years. Inspired by GLIDE's comprehensive approach to meeting the diverse needs of its community members, the Drop-In Legal Clinic strives to address any legal issue, turning nobody away because their specific problem does not meet pre-set criteria.

As he begins a new chapter in his legal career, it is fitting that we recognize the Honorable Charles Crompton today for his many accomplishments and for his public services. California's Governor Edmund Brown Jr. made a wise decision when he appointed Charles Crompton to his current judgeship, and we can be sure that Mr. Crompton's extensive legal experience and longstanding commitment to serving others will be a tremendous asset to the San Francisco County Superior Court.

10TH ANNUAL NATIONAL NIGHT OUT IN THE CITY OF BULVERDE, TEXAS ON OCTOBER 6, 2015

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. SMITH of Texas. Mr. Speaker, National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie in order to make our neighborhoods safer. National Night Out provides a unique opportunity for Bulverde, Texas, which is located in the 21st Congressional District in Texas, to join with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts. Police-community partnerships, as well as neighborhood safety awareness and cooperation, are important themes of National Night Out.

Congratulations to the City of Bulverde as it marks its 10th consecutive year participating in this important event with the Bulverde Police Department to promote joint crime, drug, and violence prevention efforts. These efforts keep our communities, and our citizens, more safe and secure.

Credit goes to the citizens of Bulverde, Texas, as they join the Bulverde Police Department and the National Association of Town Watch in supporting the Annual National Night Out on October 6, 2015.

CELEBRATING ARLENE RITTER'S 105TH BIRTHDAY

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. SMITH of Nebraska. Mr. Speaker, I rise to honor Arlene Ritter of Johnson, Nebraska, who is celebrating her 105th birthday today, July 22nd.

Arlene was born to Elmer Claude and Ella May Demarest in 1910. She had two brothers, Frank and Harry, and graduated from Talmage High School in Talmage, Nebraska. In December 1932, Arlene married Herbert M.J. Ritter and proudly added farm wife to her list of talents as an artist, seamstress, and cook.

Arlene and her husband raised four daughters. Herbert passed away in 1966, but Arlene continued to live independently on the farm until late last year. She has remained active in her church, school, and community, even serving as the brainchild for the founding of the Brock Bugle local newspaper.

Over the course of 105 years, Arlene has experienced countless remarkable events in Nebraska and our country. As highlights of her life, she lists being honored at a Husker football game and, more importantly, her faith in Jesus Christ. She also enjoys spending time with her 11 grandchildren, 14 great-grandchildren, and seven great-great-grandchildren.

On behalf of the people of Nebraska's Third District, I congratulate Arlene on her 105th birthday and wish her many more healthy and happy years.

HONORING ALVIN JAY FUGITT

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mrs. NAPOLITANO. Mr. Speaker, it is with great sadness, I rise to recognize an outstanding community leader, Alvin Jay Fugitt, who died after battling Parkinson's disease and cancer for several years.

A resident of the city of La Verne, Mr. Fugitt embraced life, people, and causes that saved endangered species, protected the environment and enriched the lives of the poor and the oppressed.

Mr. Fugitt was an avid reader who co-founded the Friends of La Verne Library, which has provided educational resources to the poor and struggling service men and women. He worked closely with elected officials of La Verne and is recognized as the embodiment of kindness after a lifetime of advocacy for environmental causes, energy conservation, urban development, and improving education.

Mr. Fugitt's selfless service will be missed greatly by his family, friends, and neighbors. We are all devastated by the loss of one so loved, and I ask my colleagues in the United States House of Representatives to join my constituents and me in honoring Mr. Fugitt for his lasting, positive impact to our San Gabriel Valley community.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. CONYERS. Mr. Speaker, on July 21, 2015, I was not present for roll call votes #448 and 449. Had I been present, I would have voted AYE on both.

HONORING THE EXTRAORDINARY LIFE OF THOMAS M. LOFTON

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor the life of a beloved member of the Indiana community, Thomas Lofton. Sadly, Tom passed away on June 19, 2015, at the age of 86. He was a well-established attorney and leader of the Lilly Endowment, one of the largest private philanthropic foundations in the country. He will be dearly missed by the Hoosier community, but he leaves behind a tremendous legacy that will live on and flourish under the leadership of those that he has mentored.

A lifelong Hoosier, Tom was born and raised in Indianapolis. He attended Howe High School, and during this time he was an Eagle Scout and a delegate to Hoosier Boys State. He later earned his bachelor's degree from Indiana University and J.D. from the Indiana University Maurer School of Law. He graduated with distinction and was honored with membership to the Order of the Coif and Beta Gamma Sigma, both of which are honor societies recognizing academic excellence.

Tom's experience in the law field is extensive and impressive. He started his career by serving as a law clerk to United States Supreme Court Justice Sherman Minton. After his clerkship he joined Baker & Daniels law firm in Indianapolis and remained there for over three decades. He developed a national reputation as an expert on tax-exempt organizations, providing counsel to organizations like The Clowes Fund, Liberty Fund, Indiana University Foundation, Christian Theological Seminary, the Eiteljorg Museum, and the Lilly Endowment, which he would later Chair.

In 1991, Tom retired from his position as Managing Partner at Baker & Daniels to accept the position of Vice Chairman of the Lilly Endowment and in 1994 was named Chairman, a position which he would hold for the next 22 years. The impact he made in his over 45 years of service in Indianapolis is incredible. During his Lilly Endowment Chairmanship he oversaw the allocation of more than $7 billion in grants to education, community development, and religion, mostly in Indianapolis. He had a passion for helping others and cared deeply about the Endowment and its legacy. He was known to be a great mentor, investing time in helping others grow personally and professionally. He truly was an embodiment of the Endowment's mission to serve others.

Tom's dedication to charitable causes went beyond his involvement with the Lilly Endowment. He was a member of the boards of the Indiana University Foundation and the Allen Whitehall Clowes Charitable Foundation, to name a few. Tom also continued his devotion to Indiana University by founding and sitting on the Board of Visitors of the Indiana University Maurer School of Law and sitting on the IU Medical School Dean's Council.

On many different occasions, Tom was recognized for his wonderful work. He received honorary doctoral degrees from Indiana University, Ball State University, and Wabash College. He received numerous awards from Indiana University, including the Distinguished Alumni Service Award, the Thomas Hart Benton Medallion, and was inducted into the Academy of Law Alumni Fellows. From Wabash College he received the Peck Award for his distinguished career. He was even added to the Sigma Nu Fraternity Hall of Honor and awarded by Governor Mitch Daniels the prestigious Sagamore of the Wabash.

Tom is survived by his wife, Betty Lofton, daughters Stephanie Lees of Indianapolis and Melissa Guinn of Bloomington, six grandchildren, two great grandchildren, and his brother, John Lofton. Tom had an unrivaled wisdom and commitment to serving others. Tom was a leader in the community who will always be remembered through his accomplishments and the enduring benefits he created for the Indianapolis community. Please join me in thanking Tom's family and friends for sharing such a wonderful man with the Hoosier community.

HONORING THE THOMPSON-CLEMONS POST #200

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor The Thompson-Clemons Post #200 of Greenwood, Mississippi.

The Thompson-Clemons Post #200 of Greenwood, Mississippi was the first African American Post established in the State of Mississippi and came about due to the perseverance of eighteen determined Black Veterans of World War I and World War II in the Mississippi Delta.

These veterans attempted to join Keeler-Hamrick-Gillespie Post #29 which refused them membership. Given that this was the 1940s and Mississippi being a segregationist state, Post #29 could not get a majority vote of its members to allow black veterans to join their post.

The eighteen black veterans filed a petition to start a new post and presented it to the Mississippi Department of the American Legion. Mr. Solomon N. Dickerson, a black veteran, postal worker and co-worker of Mr. Author H. Ritchter, the Adjutant of post #29, worked to get the petition through the District. It was due to their vigorous and persistent correspondence to the District and the Mississippi Department of the American Legion that they were allowed to form a separate post if they could find a sponsor.

Keesler-Hamrick-Gillespie Post #29 agreed to serve as a sponsor to assist Thompson-Clemons Post #200 in getting the temporary charter, paving the way for other charters to be granted to other black veteran's groups throughout the state of Mississippi.

Originally, the post was called the Mississippi Delta Post #200. Mr. L.H. Threadgill, principal of Stone Street High School, a veteran of World War II, proposed that the post be named after two former students of Stone Street High School, that were killed in action during WWII. The motion carried and the name was adopted. Thompson-Clemons Post #200 was granted a permanent charter on July 28, 1949, becoming the first Black post in the State of Mississippi. The first Post Commander was Mr. Solomon N. Dickerson.

Mr. L.H. Threadgill and others in the community were instrumental in purchasing the property, obtaining a deed, and getting a building to establish a post headquarters where it is still located today.

The Thompson-Clemons Post #200 of Greenwood, Mississippi has a distinct track record of encouragement to veterans with issues, be they from serving abroad; in combat situations or statewide service. Issues range from transportation to Regional Office and VA Hospital for medical disability claims, educational and skill training, housing and other activities including establishing collaborative partnerships with community organizations to provide emergency services such as utilities, homes for the homeless, counseling and assistance in understanding the myriad of services provided by the VA.

The VA community activities include sponsorship of little league baseball teams, voter education classes, veterans day celebration, adopt a school program, donations to needy families, Boys State Program and the National American Legion Oratorical Contest, where candidates sponsored by Post #200 have won the Mississippi State Championship four times, and three out of the past four years.

Leadership activities include a weekly live call in radio talk program aired on WGNL 104.3 FM in Greenwood, Mississippi where veterans can actually dial up and talk about issues that affect them and their community. Partnering with organizations such as the National Association of the Advancement of Colored People (NAACP), Greenwood Voters League, Mississippi Valley State University and other community based groups that advocate for social justice.

Thompson-Clemons Post #200 is well integrated into the fabric and culture of the Mississippi Delta and should be recognized as a Post that has the interest of our service men, their families and community at heart.

The American Legion Post #200 is moving forward to continue the legacy of those early veterans who honorably served their country and had the vision that through the American Legion and its core principles, they could continue to protect and build an America and Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing a remarkable organization, The Thompson-Clemons Post #200, for its dedication to serving our veterans and giving back to the African American community.

TRIBUTE TO DIANE WATTS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Diane Watts on the celebration of her 100th birthday. Vera will be celebrating her 100th birthday today July 22nd, 2015.

Our world has changed a great deal during the course of Diane's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Diane has lived through seventeen United States Presidents and twenty-four Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Diane in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the House to join me in congratulating her on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

INTRODUCTION OF THE ONE SOCIAL SECURITY ACT

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. BECERRA. Mr. Speaker, for nearly 80 years, Social Security has helped protect and nurture the American dream. Americans know if they work hard and pay into Social Security, they and their families will receive Social Security's earned benefits when they need them, for as long as they need them.

Congress has always honored that commitment, making adjustments and corrections to the law as needed, from time to time, so that all Americans receive the Social Security benefits they earned through a lifetime of work. Now Congress must act again. If we don't, 11 million Americans will have their Social Security benefits cut by 20 percent next year.

Let me explain.

Social Security is the heart of economic security for American workers, allowing them to earn birth-to-death protection against the loss of income from work, in one simple package. One seamless Social Security system insures American workers and their families (1) in the case of premature death, (2) if they have to stop working due to a disability or very serious illness, and (3) when they reach retirement.

What many people don't know is that after we make our Social Security tax contribution through each paycheck, the law requires that it be distributed into in two different trust funds—one that pays for benefits we qualify for if a wage-earner dies, or when we retire, and one that pays for benefits we earn if we become too sick or disabled to work.

All American workers contribute to both funds, with the vast majority of their contributions being deposited in the retirement and survivor fund. But in practice, Congress and the American public have simply treated the two funds as one unified financing system, which guarantees payment of all Social Security earned benefits. In fact, Congress has routinely rebalanced the allocation of workers' contributions between the two funds to ensure that all benefits can be paid. For example, in 1980 and again in 1983, Congress shifted funds from the disability fund in order to shore up the retirement and survivor fund, and then in 1994, the most recent reallocation, Congress shifted some of the incoming contributions back to the disability fund, ensuring that it could pay benefits through 2016.

Now it's 2015. Social Security has an overall surplus of $2.8 trillion, which all workers helped build up. Those who receive Social Security due to a disability worked and paid into Social Security for an average of 22 years to earn their benefits, making a significant contribution to the surplus. But because Social Security is legally required to pay Social Security benefits earned because of a disability only out of the disability fund, the benefits of Americans who receive Social Security because of a disability will be cut by 20 percent unless Congress takes action to permit Social Security to use all its available funds to pay all earned benefits.

Social Security is one unified system. It's wrong to separate out Social Security Americans qualify for because of a disability from the rest of Social Security. It's wrong to delay action on legislation to pay Americans the Social Security benefits they earned and need to live.

Americans know we have one Social Security, and they are counting on Congress to act now to protect all of it, not just some pieces of it.

Just like 168 million other Americans, I pay into Social Security with every paycheck. I make one contribution—just one—to earn Social Security's lifetime, all-in-one protection. I don't make different contributions for disability, for retirement, and for my survivors. It's all one—just one Social Security.

When we begin our working lives, none of us knows what kind of insurance from Social Security we'll need, or at what stage of our lives we'll need it. Some workers will die young, leaving family who can rely on Social Security survivors' protection. The majority of seniors depend on Social Security as their primary source of retirement income. And no one expects to suffer a career-ending disability, but if they do, Social Security is there for them. There's one Social Security that covers it all.

For millions of Americans, that one Social Security coverage—"there when you need it"—is a lifeline. Social Security's survivor insurance is the equivalent of a $476,000 life insurance policy for a worker with young children. More than half of workers who receive Social Security disability insurance payments because of a work-ending illness or injury would live in poverty without Social Security. Many will not survive to receive retirement benefits. Death rates for disability recipients are three to six times higher than for others their age. And unlike most other retirement benefits, Social Security is inflation-protected and cannot be outlived, which is why 44 percent of seniors who are 80 and over have little or nothing other than Social Security to live on.

Today I am introducing the One Social Security Act to make sure we don't break Social Security's simple promise to every American worker—if you pay into one Social Security, you and your family will receive your full earned benefits, of whatever kind, when you need them.

The One Social Security Act would prevent the scheduled 20 percent cut in Social Security benefits for 11 million Americans by merging Social Security's trust funds into a single

comprehensive fund. This would allow all American workers access to their fair share of Social Security's worker-generated $2.8 trillion surplus, to pay the benefits they earned. Except for preventing the cut, the bill would not change Social Security benefits or overall Social Security solvency, as projected in the Trustees Report released today.

Creating one unified trust fund for one Social Security is just common sense, and long overdue. In fact, it was unanimously endorsed by the bipartisan 1979 Advisory Council on Social Security—a distinguished federal advisory panel that was charged with making recommendations to Congress on all aspects of Social Security. They found that there was ''no longer a need'' for separate trust funds. The Advisory Council concluded that the two-trust fund system, with its need for periodic reallocations, ''is cumbersome and can cause needless public worry about the financial integrity of the Social Security system.''

The bill has been endorsed by thirty-six organizations representing American workers, people with disabilities, and senior citizens. They know it's the right solution to protect Social Security.

The earned benefits of 11 million Americans are not something we can let hang in the balance. They are a solemn obligation. We have only one Social Security. I look forward to working with my colleagues, on a bipartisan basis, to honor that obligation, so that we can move forward and find the best way to preserve and strengthen all of Social Security for the generations to come.

PAYING TRIBUTE TO JUDGE DENNIS CARROLL FOR HIS OUTSTANDING SERVICE TO MADISON COUNTY

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Judge Dennis Carroll on the occasion of his retirement. For more than three decades, Judge Carroll has served as judge of Madison Circuit Court, Division 6 in Madison County, Indiana. The people of Indiana's Fifth Congressional District and especially Madison County are forever grateful for Judge Carroll's contributions to the Hoosier community.

Although he is an Illinois native, Judge Carroll spent most of his life in Indiana. He first came to Indiana to attend Anderson University, where he earned his bachelor's degree in English and Education in 1969. Upon graduating, he was a high school English teacher at Shenandoah schools in Indiana, and later decided to attend law school.

After graduating from the Indiana University School of Law in 1974, Judge Carroll and his wife, Emily, decided to lay down roots in Anderson, Indiana. He began his career in law serving as the first Executive Director of the East Central Indiana Legal Services Program. After three years, Judge Carroll returned to Anderson University as an adjunct professor and was Coordinator of the Pre-Law Studies Program. He also maintained a private law practice during his time with the University.

Judge Carroll is truly a leader in the judiciary and in his community. During his 34 year tenure on the bench, he has served several terms as the Chief Judge of the Unified Courts of Madison County; was elected to serve on the Board of Directors of the Indiana Judicial Conference; and was appointed by the Chief Justice of the Indiana Supreme Court to serve on the Supreme Court Select Committee on Judicial Ethics, the Indiana Judicial Conference Education Committee, and the State Judiciary Criminal Law and Policy Committee. Additionally, Judge Carroll was a visionary when it came to Problem Solving Courts. In 2007, he founded a specialty court for Madison County, the Mental Health Court. In 2010, that court became the first Mental Health Court to earn accreditation as certified by the State of Indiana. He applied for and was awarded a grant that expanded mental health services in the Madison County courts under the banner of Problem Solving Courts, one of only two courts in the entire country to receive such an honor.

In Madison County, Judge Carroll's contributions to the community go beyond his duties on the bench. He served on the Executive Committee of the Board of Trustees of Anderson University, the Board of the Madison County Urban League, and is affiliated with Community Hospital Anderson.

His commitment to community led him to recruit people to fill public office and leadership roles in Madison County, including the current prosecutor and three judges. After Anderson University President James Edwards announced he would be retiring, Judge Carroll, as a member of the Anderson University recruitment committee, artfully orchestrated plans to recruit then Transportation and Security Administration Administrator John Pistole, an Anderson University alumnus, to return to Indiana to serve as the new President of Anderson University. This ensures that the strong legacy that past presidents have built at Anderson University will continue to grow.

Judge Carroll's contributions to Madison County are vast and impressive, and although he will be retiring from his judgeship, we are thrilled that he plans to continue to play an active role in making our community a better place. On behalf of Indiana's Fifth Congressional District, I congratulate Judge Carroll on a well-deserved retirement and wish Judge Carroll and Emily the best as they move on to their next adventure.

PERSONAL EXPLANATION

HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. COSTELLO of Pennsylvania. Mr. Speaker, unfortunately, on July 16, 2015, I missed five recorded votes on the House floor. Had I been present, I would have voted NAY on Roll Call 443, YEA on Roll Call 444, NAY on Roll Call 445, NAY on Roll Call 446, and YEA on Roll Call 447.

HONORING NORTH PANOLA HIGH SCHOOL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable school, North Panola High School of Sardis, Mississippi and the great leadership it is under.

North Panola High School is a rural high school situated on the eastern edge of the Mississippi delta. For many years the high school has been a part of a school district that had been plagued by low test scores, violence and a negative school culture. The school district had been taken over by the state several times due to year after year low test scores.

In July of 2011, Robert King, Conservator of the North Panola School District, hired Jamone Edwards as the principal of North Panola High School. Jamone Edwards, a graduate of Mississippi State University and The University of Mississippi, was the youngest principal the school had ever witnessed. He brought innovative ideas and worked tirelessly to increase teacher morale and create a positive school culture. Under his leadership and the staff's support, the school has made significant gains in the accountability model in which schools are rated. Prior to the new leadership, for many years the school was considered low performing and on academic watch. During his tenure, the school rose to Successful, which is equivalent to a C school. In the 2013–14 school year, Mr. Edwards led the school to its first ever High Performing Status, which is equivalent to a B school. This is a remarkable achievement as the school had never experienced such success and recognition.

Additionally, since 2010, the school has many successes to celebrate. The school's graduation rate was at an all-time low of 49% in 2010. Since that time, the graduation rate has risen to 73% for the 2013–14 academic school year. Currently, the high school is projected to have a graduation rate of 85% for the 2014–15 accountability rating. In addition, Algebra I and U.S. History subject area test scores have surpassed the state's average, and English II and Biology I state test scores are slightly trailing the state's average.

North Panola High School has also made significant improvement in preparing students for college and acquiring scholarships. In 2010, the mean ACT score was 14.8. Since that time, several students of North Panola High School has scored 20 or better on the ACT. In 2010, the high school graduating seniors had generated $150,000 in scholarship monies. In 2014, the high school graduating class of approximately 80 students received in excess more that $2 Million in scholarship monies creating more opportunities for our children to succeed in college and careers after high school.

In March 2015, North Panola High School received an award from the State Superintendent of Education, Dr. Carey M. Wright and the Mississippi Department of Education for closing the achievement gap between black and white students in the area of English/Language Arts and Mathematics. North Panola was one of the only predominantly minority high schools to be recognized

with the Distinguished School Award. As a result, North Panola High School received $23,750.05 to further enhance the students' overall educational experience.

Mr. Speaker, I ask my colleagues to join me in recognizing North Panola High School for its dedication to serving our great state of Mississippi and country.

TRIBUTE TO PETER WILLIAMS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Peter Williams of Indianola, Iowa for receiving a coveted Fulbright award during the 2014–2015 Academic Year. Peter is a recent graduate of the University of Minnesota, Twin Cities with a degree in Ecology, Evolution and Behavior, as well as minors in Chinese and Music. He will travel to China in September 2015 and begin his research on the endangered golden snub-nosed monkey of west central China.

Established by Congress in 1946, the Fulbright Program is funded through an annual appropriation to the U.S. Department of State. It serves as a valuable foreign affairs tool by making people-to-people connections. It also gives participants a chance to help with important issues across the globe and gain valuable skills, giving them the necessary experience to lead our future generations. With over 360,000 participants since its creation, the Fulbright Program serves an important role in educating our young people and improving our diplomatic relations.

Mr. Speaker, it is with great respect and admiration that I recognize Peter today. It is the young people like him who are willing to work hard and make sacrifices for the betterment of society that will lead our future generations. I know my colleagues in the U.S. House of Representatives join me in congratulating him on this outstanding achievement and wish him nothing but continued success moving forward.

CONGRATULATING SCOTT CUNNINGHAM ON HIS YMCA YOUTH AND GOVERNMENT AWARDS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. MARCHANT. Mr. Speaker, I am honored to congratulate one of my personal staff members, Scott Cunningham, on his earning two prestigious national awards from the YMCA Youth and Government program for his volunteer service.

YMCA Youth and Government exists at both the state and national levels and provides teenage youth with the opportunity to participate in model state legislatures, international assemblies, and other related bodies. The students involved often exhibit strong interest in being civic and community leaders and in developing policy ideas to better the world around them. At conferences, which often involve months of preparation on the part of the participants, the students learn to hone these skills. Some, like Scott, go on better prepared to pursue a career in public service and, in turn, give back by regularly helping the next generation's students in their own YMCA conferences.

Scott first became involved with YMCA Youth and Government while in high school in Dallas, Texas, and was active in both Texas and national programs. After graduating high school in 1998, he returned to serve at conferences as a college advisor and has continued ever since among alumni volunteers at several state and national conferences. He has also lived his love for public service and policymaking in his own career. Scott came to Washington as a congressional intern in 1999. In 2007 he joined my staff and continues to serve the people of the 24th district of Texas with energy and integrity, first as policy director, then legislative director, and presently as deputy chief of staff. I have no doubt that Scott's hard work and experience in YMCA Youth and Government, both as a student and an adult volunteer, have contributed to his excellent and good-humored performance.

For his consistent efforts to make Youth and Government and its participants as successful as possible, Scott recently received service awards at two different national conferences. On June 13, he was awarded the YMCA Youth and Government Distinguished Service Award at the Youth Governors Conference in Washington, DC. This award, better known as the Crystal Gavel, is presented to alumni in recognition of dedication and exceptional service to the program. To earn it, one must meet the established criteria which include: having volunteered with Youth and Government for over ten years, personifying a spirit of selfless service and exemplifying the qualities of servant leadership, demonstrating significant personal investment in the program and a meaningful impact on his or her area of work, and exemplifying the Four Core Values of the YMCA—caring, honest, respect, responsibility—and a commitment to the goal that ''Democracy must be learned by each generation.''

On July 2, at the 48th Annual YMCA Youth Conference on National Affairs in Black Mountain, North Carolina, Scott was awarded the Dr. Paul Grist Service Award. This lifetime honor is given for most distinguished service as an advisor to the conference and the Youth and Government program.

For his part, Scott affirms that YMCA Youth and Government has done much for him in his life, and he considers it a privilege to give back to the program that gave him ''a whole lot and then some.'' It is an honor to have such a dedicated public servant assist me in many critical ways in representing the 24th district of Texas. And on behalf of the 24th Congressional District of Texas, Mr. Speaker, I ask all of my distinguished colleagues to join me in congratulating Scott Cunningham on his two YMCA Youth and Government service awards and in thanking him for his tireless and sacrificial work to help the upcoming generation of young Americans learn the ideals and practice of democracy.

PERSONAL EXPLANATION

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. HANNA. Mr. Speaker, on Roll Call #448 on H.R. 1557, I am not recorded because I was absent for personal reasons. Had I been present, I would have voted Aye.

TRIBUTE TO ALEXANDREA SWANSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Alexandrea Swanson of Carter Lake, Iowa for receiving a coveted Fulbright award during the 2014–2015 Academic Year. Alexandrea is a recent graduate of Creighton University with a bachelor's degree in international relations and German and a minor in Spanish. She will travel to Germany in August 2015 and begin working in an English teaching assistantship.

Established by Congress in 1946, the Fulbright Program is funded through an annual appropriation to the U.S. Department of State. It serves as a valuable foreign affairs tool by making people-to-people connections. It also gives participants a chance to help with important issues across the globe and gain valuable skills, giving them the necessary experience to lead our future generations. With over 360,000 participants since its creation, the Fulbright Program serves an important role in educating our young people and improving our diplomatic relations.

Mr. Speaker, it is with great respect and admiration that I recognize Alexandrea today. It is the young people like her who are willing to work hard and make sacrifices for the betterment of society that will lead our future generations. I know my colleagues in the U.S. House of Representatives join me in congratulating her on this outstanding achievement and wish her nothing but continued success moving forward.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,151,831,938,889.04. We've added $7,524,954,889,975.96 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PAYING TRIBUTE TO PAT KIELY FOR HIS 23 YEARS OF OUTSTANDING SERVICE TO THE INDIANA MANUFACTURERS ASSOCIATION

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Pat Kiely on the occasion of his retirement. For 23 years, Pat served as President of the Indiana Manufacturers Association, the second oldest manufacturers association in the country and only trade association in Indiana that exclusively focuses on manufacturing. Pat has been a well-respected legislator and successful business leader in Indiana for decades. The Hoosier community is forever grateful to Pat for his tireless efforts and dedication to making Indiana a better place.

A lifelong Hoosier, Pat spent most of his personal and professional life in Anderson, Indiana. He attended college in Indiana as well, earning his bachelor's degree in Marketing Research and Statistics from Ball State University. In 1978 Pat became the State Representative for the 36th District of Indiana; he was only 26 at the time. Five years into his service at the age of 31, he was appointed Chairman of the Ways and Means Committee, making him the youngest Chairman in Indiana history. During his six and a half terms as a state legislator, he also served as Chairman of the State Budget Committee and Chairman of the State Tax and Financing Policy Commission.

Throughout his tenure as a legislator, Pat was also a business owner and operator. In 1982, he opened Computerland, which was the first computer store in Indianapolis. Additionally, he was the Vice President at City Securities Corporation in Anderson from 1983 to 1991. He knew that technology would have a significant impact on the economy and his expertise in the area and experience as a business owner allowed him to bring valuable perspective to his role as a legislator.

In 1991, Pat left the legislature and began his service as President and CEO of the Indiana Manufacturers Association. Under his leadership, the Indiana Manufacturers Association became a national leader in protecting the business environment. Pat was instrumental in his advocacy for manufacturer's interest at both the state and federal level. His advocacy and strong leadership led the association to many accomplishments in the areas of taxes, budget, infrastructure, healthcare, and environmental policy, among others. Pat also enhanced Indiana's economy through his ability to maintain, promote, and create quality manufacturing jobs in Indiana. This was especially important since Indiana is one of the top manufacturing states in the nation.

Pat's involvement with the Indiana business community is extensive. Since 1979, he has been involved with over 35 organizations including the Indiana Economic Development Council, Indiana Employers Quality Health Alliance, Governor's Education Roundtable, Indiana Business Journal's Editorial Advisory Board, Skyline Club Board of Directors, and Indiana Legal Foundation.

His commitment to the community and success as a leader have not gone unnoticed. He has been honored with Ball State University's Distinguished Alumni Award, Ball State's College of Business Award of Achievement, the Professional Fire Fighters' Union of Indiana Legislator of the Year Award, and the Indiana Department of Environmental Management's Environmental Impact Award.

Pat has been a champion for manufacturers in Indiana and across the country for decades. On behalf of the grateful constituents of Indiana's Fifth Congressional District, I would like to congratulate Pat on all of his success and extend a huge thank you for his extraordinary contributions to the Hoosier community. I wish the very best to Pat, his wife Mary Pat, and his entire family as he enjoys a well-deserved retirement.

INTRODUCTION OF THE SMITHSONIAN MODERNIZATION ACT OF 2015

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Ms. NORTON. Mr. Speaker, today, I introduce a bill to modernize the Smithsonian Institution and to enhance its governance and fundraising capabilities, in keeping with the recommendations of a number of experts, including the Smithsonian Independent Review Committee, chaired by former U.S. Comptroller General Charles Bowsher. This bill, the Smithsonian Modernization Act of 2015, makes changes to the Smithsonian's governance structure by expanding and changing the current 17-member composition of its Board of Regents, which includes public officials—six Members of Congress, the Vice President of the United States, and the Chief Justice of the U.S. Supreme Court—to 21 members, comprised solely of private citizens. This change will strengthen both the Smithsonian's governance and fundraising capacity, and it would be the first significant change in this old and revered institution since it was established in 1846.

This bill preserves and strengthens the traditional role of the Speaker of the House and the President of the Senate in selecting Board members while eliminating the role of the Board in selecting private citizens for the Board. The Speaker of the House and the President of the Senate will each send 12 recommendations to the President of the United States, who will select the 21 members of the Board from these recommendations.

The Smithsonian Institution is an irreplaceable cultural, scientific, historical, educational and artistic complex without any public or private counterpart in the world. Since its founding, the Smithsonian has developed an extraordinary array of world-class museums, galleries, educational showplaces and unique research centers, including 19 museums and galleries, nine research facilities, the National Zoo, and the forthcoming National Museum of African American History and Culture, which is now under construction. The Smithsonian has grown with private funding, donations from cultural foundations, and contemporary artists, but most of its funding continues to come from federal appropriations. Despite receiving 70 percent of its funding from the federal government, the Smithsonian has long had serious funding, infrastructure, and other needs. Today, the Smithsonian is embarking on a seven-year, $1.5 billion fundraising effort, but its current board members who hold public office are severely limited in participating, as is usually expected of board members. Under the Smithsonian's fundraising plan, the 19 museums and research institutions are working together as part of a unified campaign to raise the necessary funds. With this goal of $1.5 billion, it is more important now than ever that the Smithsonian's ability to raise money be modernized.

Congress must help the Smithsonian strengthen its ability to build resources beyond what taxpayers are able to provide. The most important step Congress could take today is to rescue the Smithsonian from its 19th-century governance structure, which keeps it from accessing needed and available private resources and limits close and critical oversight. The Smithsonian Modernization Act provides a governance structure befitting the Smithsonian's unique complexity. The existing structure may have fit the Smithsonian over 170 years ago, but today the structure has proven to be a relic that does a disservice to the Smithsonian, the federal government, and the public.

The present governance structure places immense responsibility to raise money on dedicated but overextended Members of the House and Senate, the Vice President of the United States and the Chief Justice of the United States Supreme Court. These federal officials comprise almost half of the Smithsonian Board of Regents, and must perform their fiduciary duties as board members while giving first priority to their sworn responsibilities as important federal officials.

In 2007, an independent review committee found that the Board had violated principles of good management during the tenure of former Secretary of the Smithsonian Lawrence Small by allowing him to create an ''insular culture.'' The committee's report indicated that the Board had failed to provide the needed oversight and had overcompensated Mr. Small. The report also found that Sheila P. Burke, the Smithsonian's then-deputy secretary and chief operating officer, had frequent absences from her duties because of outside activities, including service on corporate boards, for which she personally earned more than $1.2 million over six years. Further, the Smithsonian's then-business ventures chief, Gary Beer, was dismissed for financial indiscretions. This crisis, caused by unprecedented controversies and irresponsible risks, put into sharp focus the need for new revenue streams and for a modern governance structure. The first full-blown scandal in the Smithsonian's history, replete with embarrassing media coverage, damaged its reputation and perhaps the confidence of potential contributors. The poor judgment and overreaching of Smithsonian personnel during that period demonstrate the need for new and concentrated oversight.

The current Board, of course, has taken some important action on its own. After irregularities were uncovered by the media, the Board responded to the controversies by creating a governance committee, chaired by Patty Stonesifer, a Regent and former chief executive officer of the Bill & Melinda Gates Foundation, with a mandate to comprehensively review the policies and practices of the Smithsonian and how the Board conducts its

oversight of the institution. The Board also established an Independent Review Committee (IRC), chaired by former U.S. Comptroller General Charles A. Bowsher, to review the issues arising from an Inspector General's report, the Board's response, and related Smithsonian practices.

The IRC was forthright in its investigation and recommendations. The IRC stated explicitly that the root cause of the problems at the Smithsonian was an antiquated governance structure, which led to failures in governance and management. According to the IRC, the Board must assume a fiduciary duty that carries a ''major commitment of time and effort, a reputational risk, and potentially, financial liability.'' The IRC further argued that the Smithsonian, with a budget of over $1 billion a year, must have Board members who ''act as true fiduciaries and who have both the time and the experience to assume the responsibilities of setting strategy and providing oversight.'' The IRC cited a lack of clarity in the roles of the Vice President of the United States and Chief Justice of the U.S. Supreme Court on the Board in particular, and said that ''it is not feasible to expect the Chief Justice to devote the hours necessary to serve as a fiduciary agent.'' The same observation could be made of the Members of the House and Senate who serve on the Board. The IRC recommended that the Board increase the level of expertise and the number of members to ensure that the Board has sufficient time and attention to dedicate to the Smithsonian. My bill follows this guidance.

The Smithsonian's own governance committee identified several Board weaknesses, concluding that the Board did not receive or demand the reports necessary for competent decision-making, that the staff whom the Board depended upon for oversight inquiries did not have direct access to information, and that the inability of staff to communicate red flags ''crippled'' internal compliance and oversight.

Only Congress, with the concurrence of the president, can amend the Smithsonian Charter. The last change to the Board's structure occurred over 30 years ago, but it only increased the number of private citizens on the Board from six to nine. The Smithsonian Board is still a board dominated by highly placed public officials.

The number of Regents, however, is not the root problem. My bill expands the Board from 17 to 21 members, but most importantly, it brings the Board into alignment with modern public and private boards by requiring all the Regents to be private citizens. The search for private funds by Smithsonian management was a major cause of the recent controversy. Faced with crippling budget problems, the Regents must be free to give new and unprecedented attention and energy to finding and helping to raise substantially more funds from private sources. The new structure envisioned by this bill will improve oversight and the capacity for fundraising from private sources. Unlike the eight federal officials on the current Board, the nine private citizens on the current Board are entirely free to assist in private fundraising. Most importantly, private citizens have sufficient expertise to serve on the Board, and are able to devote the personal time and attention necessary to fulfill the fiduciary responsibility that comes with serving such a venerable and complex institution.

Considering the seriousness of the findings of the Board's own governance committee, as well as of the IRC, the changes prescribed by this bill are nothing short of mandatory. The reform of the fiduciary and governance issues that have brought public criticism to this iconic American institution must begin with the indispensable step of making the Smithsonian's governance consistent with that of similar institutions today. Only congressional attention can reassure the public that the controversies that recently besieged the Smithsonian will not recur. In the face of an unprecedented public controversy and a $1.5 billion fundraising goal, Congress would be remiss if it left the Smithsonian to its own oversight and devices alone.

I urge my colleagues to support this bill.

HONORING LUCILLE LOVETTE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a driven and ambitious woman, Ms. Lucille Lovette. Lucille has shown what can be done through hard work, dedication and a desire to serve others.

Lucille Lovette, a resident of Anguilla, Mississippi, is the ninth of 15 siblings born into a family who believed in hard work and didn't believe in handouts.

Lovette earned a bachelor of science in elementary education degree from Mississippi Valley State University at Itta Bena, followed by a masters degree in educational leadership and supervision and a specialist degree in educational leadership and supervision, both from Delta State University in Cleveland, Mississippi.

She began her career as an office manager in 1978 for the South Delta School District (formerly known as Anguilla Line Consolidated School District) under the direction of a great superintendent who encouraged her to go a little further. Lovette was employed by the South Delta School District from 1978–2009, serving as curriculum director, federal programs director and principal. During her time as principal, she led an elementary school with a starting enrollment of some 740 students and 90 faculty members. During her tenure, the students' grade level reading scores on state assessments increased more than 38.4 percent and math score on state assessment increased more than 70 percent. The school achieved an Exemplary and High Performing School rating. Also while as principal the South Delta Elementary School received the Torch Award granted by the Mississippi Department of Education.

In 1994 she was one of 13 teachers who were chosen by the state of Mississippi for a six week study with NASA.

Prior to serving as principal of South Delta Elementary School, Lovette worked as educational technologist as South Delta Middle School, and has served as an adult education teacher at Mississippi Delta Community College in Moorhead.

From 2009–2010 Lovette served as an educational leadership consultant at Dollarway Middle School in Pine Bluff, Arkansas and Eliza Miller Junior High School in Helena Arkansas. She was employed as school improvement coordinator with the Indianola School district from 2010 until 2011 and from 2011 until 2013; she served as educational leadership consultant for the Jackson Public School District and the Senatobia Public School District.

Among the awards she has garnered during her years in education are: the Mississippi School Board Association's School Improvement Beacon Award in 2009; the Mississippi Success for All School Reading Award in 2003, 2004, 2005, 2006, and 2007; the South Delta School District Administrator of the Year Award in 2007; Delta State University Educational Leadership Sabbatical in 2001; Mississippi Teacher of the Year State Finalist; Mississippi Second Congressional District Teacher of the Year in 2000; and South Delta Middle School and School District Teacher of the Year in 1998 and 2000.

Lovette joined the Yazoo City Municipal School District in 2013, where she served as assistant superintendent and as federal programs director. In February 2015, the Yazoo City Municipal School District School Board named Lucille Lovette the district's interim superintendent.

Lucille says, ''Service is the rent we pay for being allowed to live on this earth. We're supposed to give back, so that's key for me.''

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Lucille Lovette for her passion and dedication to educate our youth and desire to make a difference in the lives of others.

TRIBUTE TO LT. COL. DOUG ROSSELL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Lt. Col. Doug Rossell of Atlantic, Iowa for his recent retirement from the Iowa National Guard on May 3rd, 2015. He served his country for 28 years in the Iowa National Guard and the U.S. Army.

Lt. Col. Rossell was a graduate of Griswold Community High School before receiving an Army ROTC Scholarship to Northwest Missouri State University, graduating with a Bachelor of Arts and U.S. Army Reserve commission. He immediately joined the Iowa Army National Guard, where he served in a number of different roles, as a guardsmen and as an active duty member of the military. Lt. Col. Rossell received a number of military awards while in service including, but not limited to: the Meritorious Service Medal, Army and Air Force Commendation medal, the Army Achievement Medal, Army Reserve Components Achievement Medal, and the National Defense Service Medal. This is only a small sample of Lt. Col. Rossell's various awards during his decorated military career and we cannot thank him enough for his sacrifices for our country.

I commend and thank Lt. Col. Rossell for his many years of dedicated service to his fellow Americans and Iowans. It is because of people like Lt. Col. Rossell that we are able to sleep soundly at night knowing our safety and security are in their capable hands. I am proud

to represent Lt. Col. Rossell in the United States Congress and I know my colleagues in the House join me in congratulating him on his retirement. I wish him and his family nothing but the best moving forward.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. GRAVES of Missouri. Mr. Speaker, on Tuesday, July 21, I missed a series of Roll Call votes. Had I been present, I would have voted "YEA" on #448 and #449.

HONORING CALVARY M. B. CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a church family whose desire is to do God's will, Calvary M. B. Church. Calvary M. B. Church has served the Yazoo County community over a century through faith and service.

Calvary M. B. Church desire is to bring people closer to the Lord. They want to build the foundation of faith in young people and remind the Yazoo community that anything is possible through love, faith and prayer.

Calvary, located on Broadway, began welcoming the community to its services over 100 years ago. November 15, 2015 will mark 131 years of praise, prayer and worship.

On April 1, 1889 a small group purchased a lot for $50 which became the site of Calvary. For an additional $35, another lot was purchased along with the original and this site would later develop into the modern day church.

According to church history notes the first pastor was Rev. Phillips. As the years progressed the congregation grew, even amidst growth, there were challenges. Small fires struck the church. Over the years several pastors called Calvary home. But it seemed like perfect timing when Pastor RaSean O. Thomas arrived at Calvary in 2009. Pastor Thomas is a product of Calvary.

Calvary has a rich history within the Yazoo community, its recent ministries and growth show what can be done through strong prayer and fellowship. Currently, the church has two hundred members and growing. The church has Sunday School, morning worship every Sunday, Wednesday night Bible Study, monthly street evangelism and prayer services, outreach project health fairs, men and women empowerment conferences and other ministries. There is always something going on inside the walls of Calvary.

Mr. Speaker, I ask my colleagues to join me in recognizing Calvary M. B. Church for its dedication to serving the community and doing God's will.

IN HONOR OF DON A. BUCKALEW AND BUCKALEW CHEVROLET

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. BRADY of Texas. Mr. Speaker, today I honor my dear friend, Don A. Buckalew, and the golden anniversary of his ownership of Buckalew Chevrolet. For five decades Don and his family have supported our community and been a huge part of the Montgomery County success story.

Raised by L. A. and Nellie Mae Buckalew in the sawmill community of Magnolia, Don was Valedictorian of Magnolia High School before earning his business degree at Baylor University. After starting his automotive career in Tomball and Humble, he became a partner in the Weisinger Chevrolet Company in Conroe. When W. B. Weisinger sold 50 percent of the company to Don in January of 1965, the name became Weisinger-Buckalew Chevrolet. After Mr. Weisinger's passing, Don bought the remaining 50 percent and the name became Buckalew Chevrolet.

Over the last half century, the name Buckalew has been synonymous with customer service and community. Don has served as chairman of the Board of the Texas Automobile Dealers Association and on the Board of Directors of the Houston Automobile Dealer Association.

This Lion of the Year, Past International Director and Lions International Ambassador of Goodwill is a Lifetime Executive Committee Member and Director for the Houston Livestock Show & Rodeo, Lifetime Executive Committee and past Chairman of Montgomery County Fair Association, and has served as Chairman of Greater Conroe Economic Development Council, two-time Chairman and Man of the Year of Conroe/Lake Conroe Area Chamber of Commerce, President of Conroe Industrial Park, Inc., and Chairman of Montgomery County Hospital District. From being awarded the Time Quality Dealer Award by Time Magazine and National Automobile Dealers Association to receiving the Texas Automobile Dealers Association Legends Award, Don's industry and community accolades prove that with strong business and family principles, everything is possible.

Don Buckalew's unwavering support of youth and education is evident in his service as past President and Board Member of the Conroe Independent School District Board of Trustees. In a rare honor, Conroe ISD opened Don A. Buckalew Elementary School in 1998. In keeping with Don's love for all things Baylor, the Bear was named the school mascot and the colors are, not surprisingly, Green and Gold.

Don and his wife Elaine are members of First Baptist Church Conroe. They have 7 children, Debbie, Donnie, Denny, Deann, Kristen, Bryan and Lacey and 13 grandchildren. Five of Don's children, a daughter-in-law and three grandchildren have earned Baylor degrees and at least two more grandchildren will soon follow.

An outstanding record of leadership, service, honesty and integrity and love of family are only part of the Don Buckalew legend. My friend's philanthropic heart—his unsung support of those in his community who need it the most—is an example to us all of how to walk in the steps of Our Lord. Please join me in celebrating the 50th Anniversary of Buckalew Chevrolet in Conroe and in honoring the man who has set that standard, Don Buckalew.

CONGRATULATING THE CANDLE-LITE COMPANY

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. WENSTRUP. Mr. Speaker, on July 25, 2015, we congratulate the Candle-Lite Company of Leesburg, Ohio, for 175 years of continuous business in Southern Ohio, dating back to 1840.

Across three different centuries, the Candle-Lite Company has manufactured quality candles, lighting the region for generations. The company thrives on the American values of hard work and entrepreneurial perseverance as its employees craft beautiful, quality goods to share with residents throughout Ohio, the United States, and the world.

Candle-Lite Company's story is the American story. Founder Thomas Emery, an immigrant from Europe to Southwest Ohio, started simply enough: door to door sales.

Innovation and dedication led to a growing business and new formulas for higher quality candles that continued Emory's tradition of maintaining a vision for the future.

175 years later, Emery's vision and persistence is now the largest employer in Highland County with products around the world.

As we recognize this historic anniversary, we follow the example of the Candle-Lite Company and look to the future, knowing that the Candle-Lite Company will continue to flourish as a company and employer we are proud to have in Ohio.

HONORING THE LIFE AND SERVICE OF SGT. CARSON ALLEN LOUIS HOLMQUIST

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. DUFFY. Mr. Speaker, it is with deep sorrow that I stand today to recognize the death of Sgt. Carson Allen Louis Holmquist. Sgt. Holmquist was a loving man: He loved cars, trucks, and farming. He was an avid fisherman and hunter, and devoted to his family, friends and serving his country.

On the morning of July 16, 2015, Sgt. Holmquist gave his life for the country he loved. He was shot and killed while working at a military facility in Chattanooga, Tennessee. It is in these stark moments, when soldiers are killed on our own soil, that we recognize just how fragile our freedom is. Liberty is a precious gift whose benefits we all enjoy, but too often we give little thought to the price that is paid.

Vice President Cheney once said, "Our nation grieves for the brave men and women whose lives have ended in freedom's cause. No one can take away the sorrow that comes to the families of the fallen. We can only say

. . . that these Americans served in a noble and a necessary cause, and their sacrifice has made our nation and the world more secure. We will honor their memory forever.'' Through this moment of reflection, we can help keep Sgt. Holmquist's memory alive. We owe him nothing less than to remember, and to give thanks for all he has done on our behalf. Sgt. Holmquist is survived by his wife, Jasmine, and his young son, Wyatt, for whom Rachel and I offer prayers of comfort.

Mr. Speaker, on behalf of a grateful nation, I ask that we salute him, and pledge that we will never forget.

PERSONAL EXPLANATION

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. HANNA. Mr. Speaker, on Roll Call No. 449 on H.R. 2256, I am not recorded because I was absent for personal reasons. Had I been present, I would have voted Aye.

HONORING MAJOR GENERAL MICHAEL R. REGNER

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. JONES. Mr. Speaker, I am proud to rise today to honor Major General Michael R. Regner, for his thirty-nine years of service to our nation in the United States Marine Corps.

Major General Regner's extensive career started in 1976, when he received his commission through the Naval Reserve Officer Training Corps after graduating from The Citadel.

Major General Regner's storied career is distinguished by his willingness and desire to serve the Marine Corps each and every day. He is a man who has served faithfully and to the best of his abilities in all positions in which he has been assigned, which has made him invaluable to the Marine Corps and to our nation. He has successfully used his skills as Commanding General, both in the field and in garrison. It is likely that most of Major General Regner's service will never fully be recognized, but his leadership will truly be felt for years to come.

During his decades of service, Major General Regner has served with distinction in support of anti-terrorism operations, including Operation Desert Storm, Operation Enduring Freedom, and Operation Iraqi Freedom. During his time as a field grade officer, he commanded at the battalion and Marine Expeditionary Unit level and also deployed to Somalia, Bosnia and the Former Republic of Yugoslavia. Mike Regner continued to serve tirelessly after successful command tours and was selected as the 1st Marine Expeditionary Force Operations Officer where he helped plan the liberation of Fallujah as well as overseeing the first free elections in Al Anbar Province, Iraq.

In 2005, Mike Regner was promoted to Brigadier General and served as the Legislative Assistant to Commandant. During this time he was successful in instituting multiple programs and ideas, including publishing the U.S. Marine Corps' Legislative Strategy. This ultimately increased congressional awareness and funding of over $1.2 billion for fundamental Marine programs. In 2009, Mike Regner deployed in support of Operation Enduring Freedom, to serve as the Deputy Chief of Staff for Joint Operations at the International Security Assistance Force Joint Command. Major General Regner retires from his post as Staff Director at Headquarters Marine Corps, Washington D.C.

Major General Regner's achievements go far beyond his impressive resume and hand in relentlessly protecting and serving the American people. Mike Regner established the Department of Defense Enlisted Defense Fellowship Program. This program, created originally for the Marine Corps, has become the model for the entire Department of Defense as all the services now have enlisted members serving in this program. The program has enabled Congressional members and staff to obtain invaluable insight into the workings of all military services, allowing them to make appropriate decisions that affect the military. Mike Regner was recognized in the U.S. House of Representatives for his work as a Marine Corps' Liaison Officer from 1999–2002, before being assigned as the Commanding Officer of the 13th Marine Expeditionary Unit (MEU).

Major General Regner closely assisted in the establishment of the Wounded Warrior Employment Program, acting as a spokesman on behalf of all those service members who were wounded in combat and their families to the United States Congress and worked with then Speaker NANCY PELOSI on the implementation of this program. This program has specifically helped over 130 military service members obtain employment to date. Mike Regner is a passionate advocate for those that are wounded, ill, or injured, and continually uses his voice to speak on behalf of those who have served our country relentlessly.

Of the many words used to describe Major General Regner, strategic planner and coalition builder would be two that best characterize him. Mike Regner has worked with the U.S. Congress to testify on multiple issues that relate to military personnel. He has worked with Former Senator James Webb on instituting the Post 9/11 G.I. Bill, which was signed into law in 2008 and has benefited thousands of service members and their families.

Mike Regner has acted as a lead facilitator when providing security during Afghanistan's presidential elections, and further displayed his ability to form alliances with co-authoring The Republic of Korea Counter Provocation Peace Plan. Mike Regner's ability to plan strategically has led to the creation of the NATO International Joint Command, which produced increased security and operational effectiveness within Afghanistan.

Over the three decades that Major General Regner has served our nation, Mrs. Mary S. Regner, Major General Regner's wife, has equally served the people of the United States. Noted as an educator and leader, Mrs. Regner serves as a member of the Board of Governors for the National Military Family Association. Mrs. Regner is also a Spouse Ambassador for The White House Joining Forces Initiative, Military Spouse Employment Partnership.

Her greatest professional accomplishments stem from her time working as a Department of Labor contractor for the Department of Defense Transition Assistance Program, where she was able to further support military spouses in careers as trainers and managers. Mrs. Regner is a woman that continually educates those around her, and has presented on various topics at the Marine Corps' Cornerstone Spouses' Courses and at Department of Defense conferences.

Mrs. Regner is involved in and serves a multitude of other organizations in the Washington, D.C. area while being a wife and a mother to three adult children who also strive to make a difference in their daily lives.

Their family includes their oldest son, Michael, who is serving in the Marine Corps as an Infantry Officer, and he is married to Erin, who is busy raising three small children, Michael, Caroline and Charlie. Their daughter, Julia Linton, is working for the South Carolina Research Authority, in Charleston, S.C., as a Project Administrator for SC Launch. Julia and John, an attorney, are expecting their first child. Finally, John Regner, their youngest child, is a high school teacher in Lynchburg, VA, and his wife, Katie, is a social worker.

I have personally known the Regner family since 1998, and I am extraordinarily proud of the work they have done for our nation and will do in the future. I have many fond memories of both Mike and Mary from my early days in Congress, but my favorite memory is the story of USMC K–9, Lex. When Lex's handler, Corporal Dustin Lee, was killed in action in 2007, the Lee family wanted to have the injured Lex retired and adopt him. I turned to my good friend Mike Regner to help make this happen. On December 21, 2007, Lex was officially retired with a Purple Heart and turned over to the Lee family. Without Mike Regner, this would have never happened. It is something for which the Lee family and I will be forever grateful.

On behalf of my colleagues on both sides of the aisle, I would like to recognize Major General Regner's outstanding accomplishments, courageous attitude, and past and present devotion to our nation. I wish to congratulate him, his wife Mary, and children, Michael, Julia, and John on the completion of a long and highly distinguished career.

In closing, may God continue to bless the Regners and may they have ''fair winds and following seas'' as they embark on a new journey of service to our beloved nation.

Semper Fidelis.

IN RECOGNITION OF MS. MELBA CURLS FOR HER DEDICATED CAREER TO THE KANSAS CITY COMMUNITY

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. CLEAVER. Mr. Speaker, I rise today to recognize an outstanding dedicated employee of the Kansas City community. On July 31, 2015, Ms. Melba J. Curls will officially retire as the councilwoman of Kansas City's 3rd District-at-large, having served the last eight years on the Kansas City City Council. Her commitment to shaping and improving the Kansas City, Missouri community is unparalleled. She is a trailblazer, civil rights activist, a

devoted family woman, and a community leader who has dedicated her life to serving others.

Born on October 3, 1941, Melba Curls is a lifelong resident of Kansas City. She graduated from Central High School where she was one of the first classes in an integrated school. She later went on to attend the University of Missouri-Columbia. At an early age, Melba was active in politics and the civil rights movement. She was active in the NAACP's Youth, and actually met her future husband, the late Missouri Senator Phil B. Curls, on a civil rights trip with the organization. The Curls were married for 43 years before his untimely passing in 2007. She is the proud mother of four amazing children: Phil Jr., Michael, Monica and Louis.

Melba has been involved in public service most of her career. She spent several years working for the City of Kansas City where she served the citizens in the Personnel and Legal Departments and as a Staff Assistant to then Mayor Charles B. Wheeler. She also worked on the staff of U.S. Senator Tom Eagleton. Melba spent almost 15 years working at the KCMC Child Development Corporation in support of the Head Start Program and early childhood education in Kansas City.

In 1999, Melba was elected by the citizens of the 41st District to represent them in the Missouri House of Representatives, where she served for seven years. During her tenure in the State Legislature, she was able to work with colleagues, government officials from all branches, and community leaders, regardless of their political affiliation, race, gender or socio-economic background, to help find solutions to the problems plaguing the community. Melba also served as the Chairperson of the Committee on Urban Affairs, from 2000 to 2002, and as the Vice-Chair of the Ethics committee, from 2004 to 2006. She then successfully ran for City Council in 2007.

Councilwoman Curls' interests in helping better the lives of others through various organizations in our community include her involvement with: The De La Salle Education Center, the Jackson County Board of Domestic Violence Shelters, and the American Jazz Museum, just to name a few. She also currently serves as an Executive Board Member to the longest-serving civil rights organization dedicated to serving the needs of Kansas City's African-American community—Freedom, Incorporated. Kansas City Mayor Sly James selected Councilwoman Curls to serve on the Neighborhoods, Housing and Healthy Communities and Transportation and Infrastructure committees.

Over the years, Melba has been able to earn the respect of her colleagues by working hard to be a bridge-builder between individuals and organizations. She is an active member of the City Council, and is very focused on participating in community activities and being involved in the community that she serves.

Mr. Speaker, please join me and our colleagues in recognizing and honoring Ms. Melba Curls for a lifetime of devoted commitment to the Kansas City community. While she embraces this next phase of life in retirement, I wish to thank her for her tireless service to the Kansas City Community for the past three decades. Demonstrating unparalleled dedication, Melba serves as an inspiration and role model for our community.

HONORING ETHEL C. MANGUM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mrs. Ethel C. Mangum who is a native of Madison County. Many of her formative years were spent in the Virden Addition Area. She attended school at Walton Elementary and Brinkley High School. At Jackson State University she earned B.S. and Masters degree in Social Work and Guidance.

For twenty-eight years she has been an active member of Farish Street Baptist Church and its E. B. Topp Missionary Circle.

Mrs. Mangum has done extensive volunteer work which included: teaching and reading at Powell Middle School; serving as Co-Chairperson of Lake Hico Eubanks Creek Neighborhood Association; working as an HIV/AIDS educator for the American Red Cross; working with children to prevent teenage pregnancy; and motivating them toward moral and academic excellence.

Mrs. Mangum has been a "first" in opening opportunities for others by becoming the first African American woman to hold a professional position at Baptist Children's Village; the first African American woman to work for Michael Baker, Jr., Inc. Consulting Engineers; and for SCAN (Suspected Child Abuse and Neglect). She was one of two females who integrated the lunch room at St. Dominic's Hospital.

Mrs. Mangum currently strives for excellence in the community through her position as Administrative Assistant for Ward 3.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Ethel C. Mangum for her dedication to serving others.

EXPANDING UNARMED APPROACHES TO PROTECT CIVILIANS

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. NOLAN. Mr. Speaker, we are besieged daily with news of intensifying brutal attacks on innocent civilians in South Sudan, Syria, Ukraine, and many more places throughout the world. Women and children are increasingly being targeted.

Anthony Lake, the executive director of UNICEF, recently wrote about South Sudan: "The details of the worsening violence against children are unspeakable, but we must speak of them . . . Survivors report that boys have been castrated and left to bleed to death . . . Girls as young as 8 have been gang raped and murdered . . . Children have been tied together before their attackers slit their throats . . . Others have been thrown into burning buildings . . . Children are also being aggressively recruited into armed groups of both sides on an alarming scale."

When confronted with such atrocities, our typical response is to send in the bombers and drones, ship military equipment, train "the good guys," or even put our own troops on the ground. By doing these things, we create a state of on-going war. Is it any wonder the result is more violence, rather than less?

The UN High Commissioner on Refugees reported last month that 59.5 million individuals have been forcibly displaced worldwide. This is the largest number since UNHCR began keeping records. UNHCR's Annual Report tells us that every day last year, an average of 42,500 people had to flee their homes, a four-fold increase in just four years. That's like everybody in a city the size of Duluth, the largest city in my district, fleeing from their homes every other day.

But there are effective alternatives that are protecting civilians and deterring violence in some of the most brutal war zones around the world. You probably haven't heard about them because, unlike terrorists, these nonviolent peacekeepers seldom make the headlines.

During this time of crisis, it is imperative that we examine new and less conventional methodologies as we try to fulfill our responsibility to protect our fellow civilians as best we can. One such approach is unarmed civilian protection (UCP), pioneered by Nonviolent Peaceforce, an organization that originated in Minnesota. UCP provides unarmed, specially trained civilians who are recruited from many different countries to live and work with local civil society in areas of violent conflict. Currently there are more than a dozen nongovernmental organizations DIRECTLY protecting civilians, using only nonviolent methods, in places like South Sudan, Colombia, Guatemala, Palestine and the Philippines.

Their approaches are strategic, thoughtful, and tailored for each specific situation. These unarmed civilian protectors model peace by practicing it. For example in South Sudan, displaced women leaving the Protection of Civilian areas to gather firewood and water face rape by soldiers lurking at the edge of the sites. The women routinely have to make excruciating choices between their family's sustenance and their personal safety. UCP workers found that when two or more trained, unarmed civilian protectors accompany 20–30 women, the soldiers look the other way. No woman has been attacked when accompanied by an unarmed civilian protector.

Imagine if we had 10,000 unarmed civilians protecting civilians in South Sudan, instead of the 150 that Nonviolent Peaceforce struggles to fund. We can afford them, because these unarmed civilian protectors cost a fraction of the cost of a soldier.

In their report released on June 16, the UN High Level Peace Operations Review Panel recognized UCP as a key reform for protecting civilians under threat of violent conflict.

The Panel Chair, Nobel Laureate Jose Ramos Horta, stated, "The Panel reviewed the excellent input by Nonviolent Peaceforce, which shared with us its positive experience in protecting civilians in war-torn situations. In our Report, we recommend that the UN engage more of those brave people working in the field, unarmed, to protect civilians".

Crisis demands innovation. We need to respond to violence with methods that are effective and efficient, not just usual and conventional. We need methods that move us towards peace, not those that engulf us in further violence. The United States must incorporate UCP as a key instrument in transforming violent conflict, and in protecting civilians, through our initiatives at the State Department and USAID as well as our positions at the United Nations.

CALLING FOR DEBATE AND VOTE ON LEGISLATION TO REPAIR DAMAGE TO VOTING RIGHTS ACT

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Ms. JACKSON LEE. Mr. Speaker, I call upon House Speaker BOEHNER to bring legislation intended to protect the right to vote of all Americans to the floor for debate and vote in advance of the 50th anniversary of the landmark Voting Rights Act signed by President Lyndon Johnson on August 6, 1965.

This action is long overdue.

It has been more than two years since the Supreme Court decided Shelby County v. Holder, 570 U.S. 193 (2013), which invalidated Section 4(b) of the Voting Rights Act and paralyzed the application of the Act's Section 5 preclearance requirements, which protect minority voting rights where voter discrimination has historically been the worst.

In the 49 years since its passage in 1965, the Voting Rights Act has safeguarded the right of Americans to vote and stood as an obstacle to many of the more egregious attempts by certain states and local jurisdictions to game the system by passing discriminatory changes to their election laws and administrative policies.

In signing the Voting Rights Act on August 6, 1965, President Lyndon Johnson said:

> The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.

Although much progress has been made there is still much work to be done in order to prevent systemic voter suppression and discrimination within our communities and we must remain ever vigilant and oppose schemes that will abridge or dilute the precious right to vote.

Since 1982, Section 5 has stopped more than 1,000 discriminatory voting changes in their tracks, including 107 discriminatory changes in Texas.

In the aftermath of the Shelby decision, I was a member of the working group led by Congressman JIM CLYBURN of South Carolina that was tasked with sharing ideas, making recommendations, and crafting and drafting the legislation that would repair the damage done to the Voting Rights Act by the Supreme Court decision and capable of winning majorities in the House and Senate and the signature of the President.

That effort resulted in the Voting Rights Amendments Act, (H.R. 3899 and H.R. 885) of which I am an original co-sponsor, which repairs the damage done to the Voting Rights Act by the Supreme Court decision.

This legislation replaces the old 'static' coverage formula with a new dynamic coverage formula, or 'rolling trigger,' which effectively gives the legislation nationwide reach because any state and any jurisdiction in any state potentially is subject to being covered if the requisite number of violations are found to have been committed.

I am also a sponsor of H.R. 2867, the Voting Rights Advancement Act of 2015, a bill that restores and advances the Voting Rights Act of 1965 by providing a modern day coverage test that will extend federal oversight to jurisdictions which have a history of voter suppression and protects vulnerable communities from discriminatory voting practices.

I am also a sponsor of H.R. 12, the Voter Empowerment Act of 2015, which protects voters from suppression, deception, and other forms of disenfranchisement by modernizing voter registration, promoting access to voting for individuals with disabilities, and protecting the ability of individuals to exercise the right to vote in elections for federal office.

For millions of Americans, the Voting Rights Act of 1965 is sacred treasure, earned by the sweat and toil and tears and blood of ordinary Americans who showed the world it was possible to accomplish extraordinary things.

The Voting Rights Act is needed as much today to prevent another epidemic of voting disenfranchisement as Dr. Salk's vaccine is still needed to prevent another polio epidemic.

I again call upon Speaker BOEHNER to bring H.R. 2867, the Voting Rights Advancement Act of 2015, and H.R. 12, Voter Empowerment Act of 2015, to the floor for a vote before August 6, the 50th anniversary of the landmark Voting Rights Act signed by President Lyndon Johnson and three weeks before President Johnson's 107th birthday.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 23, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 28

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine lifting the crude oil export ban.

SD–538

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the State Department's proposal to construct a new diplomatic security training facility.

SD–342

2 p.m.

Joint Economic Committee

To hold hearings to examine dynamic scoring, focusing on how it will affect fiscal policymaking.

SH–216

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

JULY 29

9 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine reauthorizing the Higher Education Act, focusing on combating campus sexual assault.

SH–216

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Financial Institutions and Consumer Protection

To hold hearings to examine the role of bankruptcy reform in addressing too-big-to-fail.

SD–538

Committee on Foreign Relations

To hold hearings to examine the North Korea threat and United States policy.

SD–419

Committee on Homeland Security and Governmental Affairs

Business meeting to consider an original bill entitled, ''Department of Homeland Security Border Security Metrics Act of 2015'', an original bill entitled, ''Critical Infrastructure Protection Act of 2015'', an original bill entitled, ''EINSTEIN Act of 2015'', S. 1073, to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, an original bill entitled, ''Quarterly Financial Reporting Reauthorization Act of 2015'', S. 1607, to affirm the authority of the President to require independent regulatory agencies to comply with regulatory analysis requirements applicable to executive agencies, S. 1526, to amend title 10 and title 41, United States Code, to improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, S. 1820, to require agencies to publish an advance notice of proposed rule making for major rules, S. 1817, to improve the effectiveness of major rules in accomplishing their regulatory objectives by promoting retrospective review, S. 1808, to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, S. 779, to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds

administered by that agency, S. Res. 104, to express the sense of the Senate regarding the success of Operation Streamline and the importance of prosecuting first time illegal border crossers, S. 708, to establish an independent advisory committee to review certain regulations, S. 1170, to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, H.R. 1531, to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, an original bill to designate the facility of the United States Postal Service located at 99 West 2nd Street in Fond du Lac, Wisconsin, as the ''Lieutenant Colonel James 'Maggie' Megellas Post Office'', S. 1596, to designate the facility of the United States Postal Service located at 2082 Stringtown Road in Grove City, Ohio, as the ''Specialist Joseph W. Riley Post Office Building'', and the nomination of Denise Turner Roth, of North Carolina, to be Administrator of General Services.

SD–342

10:30 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine wireless broadband and the future of spectrum policy.

SR–253

2 p.m.

Committee on the Judiciary

Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts

To hold hearings to examine IRS targeting, focusing on progress of agency reforms and congressional options.

SD–226

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine the true costs of alcohol and drug abuse in Native communities.

SD–628

2:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine ending veteran homelessness.

SR–418

JULY 30

2:30 p.m.

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH–219

AUGUST 4

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.

SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5431–S5475

Measures Introduced: Nineteen bills were introduced, as follows: S. 1825–1843. **Page S5455**

Measures Reported:

S. 1297, to update the Commercial Space Launch Act by amending title 51, United States Code, to promote competitiveness of the U.S. commercial space sector, with an amendment in the nature of a substitute. (S. Rept. No. 114–88) **Page S5455**

Measures Passed:

Criminal Antitrust Anti-Retaliation Act: Senate passed S. 1599, to provide anti-retaliation protections for antitrust whistleblowers, after agreeing to the committee amendment in the nature of a substitute. **Pages S5474–75**

Measures Considered:

Hire More Heroes Act—Agreement: Senate resumed consideration of the motion to proceed to consideration of H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act. **Page S5451**

During consideration of this measure today, Senate also took the following action:

The motion to proceed to the motion to reconsider the vote by which cloture was not invoked on Tuesday, July 21, 2015, was agreed to. **Page S5451**

The motion to reconsider the vote by which cloture was not invoked on Tuesday, July 21, 2015, was agreed to. **Page S5451**

By 62 yeas to 36 nays (Vote No. 251), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate, upon reconsideration, agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S5451**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill, post-cloture, at approximately 9:30 a.m., on Thursday, July 23, 2015; and that all time during the adjournment of the Senate count post-cloture on the motion to proceed to consideration of the bill. **Page S5475**

Messages from the House: **Page S5454**

Measures Referred: **Page S5454**

Enrolled Bills Presented: **Pages S5454–55**

Executive Communications: **Page S5455**

Additional Cosponsors: **Pages S5455–56**

Statements on Introduced Bills/Resolutions: **Pages S5556–68**

Additional Statements: **Pages S5452–54**

Amendments Submitted: **Pages S5468–73**

Notices of Hearings/Meetings: **Page S5473**

Authorities for Committees to Meet: **Page S5473**

Privileges of the Floor: **Page S5474**

Record Votes: One record vote was taken today. (Total—251) **Page S5451**

Adjournment: Senate convened at 10 a.m. and adjourned at 8:22 p.m., until 9:30 a.m. on Thursday, July 23, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5475.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Subcommittee on Financial Services and General Government approved for full committee consideration an original bill entitled, "Financial Services and General Government Appropriations Act, 2016".

FINANCIAL STABILITY OVERSIGHT COUNCIL

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance, and Investment concluded a hearing to examine the Financial Stability Oversight Council designation process, after

receiving testimony from Patrick Pinschmidt, Deputy Assistant Secretary of the Treasury for Financial Stability Oversight Council.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nomination of Marie Therese Dominguez, of Virginia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, Department of Transportation, after the nominee, who was introduced by Senator Warner, testified and answered questions in her own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Paul Wayne Jones, of Maryland, to be Ambassador to the Republic of Poland, Hans G. Klemm, of Michigan, to be Ambassador to Romania, Kathleen Ann Doherty, of New York, to be Ambassador to the Republic of Cyprus, James Desmond Melville, Jr., of New Jersey, to be Ambassador to the Republic of Estonia, and Samuel D. Heins, of Minnesota, to be Ambassador to the Kingdom of Norway, who was introduced by Senators Franken and Klobuchar, all of the Department of State, and Thomas O. Melia, of Maryland, to be an Assistant Administrator of the United States Agency for International Development, after the nominees testified and answered questions in their own behalf.

PROTECTING THE ELECTRIC GRID

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine protecting the electric grid from the potential threats of solar storms and electromagnetic pulse, after receiving testimony from Joseph McClelland, Director, Office of Energy Infrastructure Security, Federal Energy Regulatory Commission, Department of Energy; Christopher P. Currie, Director, Homeland Security and Justice, Government Accountability Office; R. James Woolsey, Foundation for Defense of Democracies, Washington, D.C.; Richard L. Garwin, IBM Thomas J. Watson Research Center, Yorktown Heights, New York; and Bridgette Bourge, National Rural Electric Cooperative Association, Arlington, Virginia.

HIGHER EDUCATION ACT

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine reauthorizing the Higher Education Act, focusing on exploring barriers and opportunities within innovation, after receiving testimony from Jamie P. Merisotis, Lumina Foundation, Indianapolis, Indiana; Barbara Gellman-Danley, Higher Learning Commission, Chicago, Illinois; Paul LeBlanc, Southern New Hampshire University, Manchester; and Michael B. Horn, Clayton Christensen Institute, San Mateo, California.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 1704, to amend the Indian Tribal Justice Act to secure urgent resources vital to Indian victims of crime, with an amendment in the nature of a substitute; and

S. 1776, to enhance tribal road safety, with an amendment in the nature of a substitute.

INDIAN GAMING OVERSIGHT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine safeguarding the integrity of Indian gaming, focusing on regulation and oversight by the Federal government, States, and Tribes, after receiving testimony from Anne-Marie Fennell, Director, Natural Resources and Environment, Government Accountability Office; David Trujillo, Washington State Gambling Commission Director, Olympia; Jonodev Osceola Chaudhuri, National Indian Gaming Commission, and Ernest Stevens, Jr., National Indian Gaming Association, both of Washington, D.C.; and Jamie Hummingbird, Cherokee Nation Gaming Commission, Oneida, Wisconsin, on behalf of the National Tribal Gaming Commissioners and Regulators Association.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of John Michael Vazquez, to be United States District Judge for the District of New Jersey, who was introduced by Senator Menendez, Wilhelmina Marie Wright, to be United States District Judge for the District of Minnesota, who was introduced by Senators Klobuchar and Franken, Paula Xinis, to be United States District Judge for the District of Maryland, who was introduced by Senators Mikulski and Cardin, and Cono R. Namorato, to be an Assistant Attorney General, Department of Justice, after the nominees testified and answered questions in their own behalf.

SUPREME COURT

Committee on the Judiciary: Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts concluded a hearing to examine Supreme Court activism and possible solutions, after receiving testimony from John C. Eastman, Chapman University's Dale E. Fowler School of Law, Orange, California, on behalf of the Claremont Institute's Center for Constitutional Jurisprudence; Neil S. Siegel,

Duke Law School, Durham, North Carolina; and Edward Whelan, Ethics and Public Policy Center, Washington, D.C.

TARGETED TAX REFORM

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine targeted tax reform, focusing on solutions to relieve the tax compliance burden for America's small businesses, including S. 1827, to amend the Internal Revenue Code of 1986 to improve the tax treatment of small businesses, after receiving testimony from Diana Beebe, ProSys, Inc., Baton Rouge, Louisiana; Donald Begneaud, Begneaud Manufacturing, Scott, Louisiana; Cori O'Steen, Upak, Inc., Aiken, South Carolina; Jeffrey A. Porter, Porter and Associates, Huntington, West Virginia, on behalf of the American Institute of Certified Public Accountants; Tom Mathison, Mathison Mathison Architects, Grand Rapids, Michigan, on behalf of the National Small Business Association; and Caroline Bruckner, American University Kogod School of Business Tax Policy Center, Nicholas Karellas, National Federation of Independent Business, and Dean Zerbe, alliantgroup, all of Washington, D.C.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the following business items:

S. 1493, to provide for an increase, effective December 1, 2015, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans;

S. 1203, to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, with an amendment in the nature of a substitute;

S. 1082, to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct;

S. 833, to authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations were made for fiscal year 2015, with an amendment in the nature of a substitute; and

S. 627, to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations.

MEDICARE PROVIDER ENROLLMENT FRAUD

Special Committee on Aging: Committee concluded a hearing to examine combating medicare provider enrollment fraud, focusing on additional actions needed to improve eligibility verification of providers and suppliers, after receiving testimony from Seto J. Bagdoyan, Director, Forensic Audits and Investigative Service, Government Accountability Office; Shantanu Agrawal, Deputy Administrator and Director, Center for Program Integrity, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and Katherine Leff, CareSource Management Group, Dayton, Ohio.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 24 public bills, H.R. 3149–3172; and 2 resolutions, H. Con. Res. 64; and H. Res. 371, were introduced.

Pages H5401–03

Additional Cosponsors: Pages H5404–05

Reports Filed: Reports were filed today as follows:

H.R. 521, to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska, with an amendment (H. Rept. 114–217, Part 1);

H.R. 2770, to amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes, with an amendment (H. Rept. 114–218);

H.R. 998, to establish the conditions under which the Secretary of Homeland Security may establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States, and for other purposes, with an amendment (H. Rept. 114–219, Part 1);

H.R. 2127, to direct the Administrator of the Transportation Security Administration to limit access to expedited airport security screening at an airport security checkpoint to participants of the PreCheck program and other known low-risk passengers, and for other purposes, with an amendment (H. Rept. 114–220);

H.R. 2843, to require certain improvements in the Transportation Security Administration's PreCheck expedited screening program, and for other purposes, with an amendment (H. Rept. 114–221);

H.R. 1300, to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes, with an amendment (H. Rept. 114–222, Part 1); and

H. Res. 370, providing for consideration of the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration (H. Rept. 114–223). **Page H5401**

Speaker: Read a letter from the Speaker wherein he appointed Representative Tipton to act as Speaker pro tempore for today. **Page H5335**

Recess: The House recessed at 11:02 a.m. and reconvened at 12 noon. **Page H5342**

Journal: The House agreed to the Speaker's approval of the Journal by a recorded vote of 249 ayes to 169 noes with one answering ''present'', Roll No. 452. **Pages H5342, H5357**

Recess: The House recessed at 2:10 p.m. and reconvened at 2:14 p.m. **Page H5357**

Official Photograph of the House in Session: The official photograph of the House in session was taken pursuant to the provisions of H. Res. 292. **Page H5357**

Recess: The House recessed at 2:15 p.m. and reconvened at 4 p.m. **Pages H5357–58**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, July 23. **Page H5358**

Improving Coal Combustion Residuals Regulation Act of 2015: The House passed H.R. 1734, to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, by a recorded vote of 258 ayes to 166 noes, Roll No. 458. **Pages H5358–80**

Rejected the Foster motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 184 ayes to 240 noes, Roll No. 457. **Pages H5378–80**

Agreed to:

Shimkus amendment (No. 1 printed in part C of H. Rept. 114–216) that updates the reference to the final rule and instead of referencing the date it was signed by the Administrator it inserts the date the final rule was published in the Federal Register; and **Page H5370**

Castor (FL) amendment (No. 3 printed in part C of H. Rept. 114–216) that preserves cleanup requirements in EPA's final coal ash rule to protect public health and ensure that air and groundwater pollution is addressed quickly and effectively. **Page H5371**

Rejected:

Pallone amendment (No. 2 printed in part C of H. Rept. 114–216) that sought to preserve transparency requirements in EPA's final coal ash rule to ensure public access to information and accountability (by a recorded vote of 177 ayes to 244 noes, Roll No. 453); **Pages H5370–71, H5375–76**

Connolly amendment (No. 4 printed in part C of H. Rept. 114–216) that sought to require all inactive surface impoundments follow post-closure groundwater monitoring standards pursuant to section 257.104 subsections (b) and (c) of title 40, Code of Federal Regulations (by a recorded vote of 177 ayes to 245 noes, Roll No. 454); **Pages H5371–72, H5376–77**

Adams amendment (No. 5 printed in part C of H. Rept. 114–216) that sought to require the owner or operator of a coal combustion residuals surface impoundment to survey all drinking water supply wells that are within a half mile and down-gradient of the established waste boundary; require the owner or operator of a coal combustion residuals surface impoundment to supply an alternative source of safe drinking water within 24 hours if well water sampling exceeds groundwater standards (by a recorded vote of 192 ayes to 231 noes, Roll No. 455); and **Pages H5373–74, H5377**

Butterfield amendment (No. 6 printed in part C of H. Rept. 114–216) that sought to allow the Administrator of the Environmental Protection Agency to prevent the legislation from going into effect if it is determined to have a negative impact on vulnerable populations (by a recorded vote of 180 ayes to 240 noes, Roll No. 456). **Pages H5374–75, H5377–78**

H. Res. 369, the rule providing for consideration of the bills (H.R. 1599) and (H.R. 1734) was agreed to by a recorded vote of 242 ayes to 175 noes, Roll No. 451, after the previous question was ordered by a yea-and-nay vote of 239 yeas to 167 nays, Roll No. 450. **Pages H5345–57**

Senate Referral: S. 286 was referred to the Committee on Natural Resources. **Page H5401**

Quorum Calls—Votes: One yea-and-nay vote and eight recorded votes developed during the proceedings of today and appear on pages H5355–56, H5356–57, H5357, H5376, H5376–77, H5377,

H5377–78, H5379–80, and H5380. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:57 p.m.

Committee Meetings

OVERSIGHT OF THE U.S. DEPARTMENT OF AGRICULTURE

Committee on Agriculture: Full Committee held a hearing entitled ''Oversight of the U.S. Department of Agriculture''. Testimony was heard from Tom Vilsack, Secretary, Department of Agriculture.

MISCELLANEOUS MEASURE

Committee on Education and the Workforce: Full Committee held a markup on H.R. 511, the ''Tribal Labor Sovereignty Act of 2015''. H.R. 511 was ordered reported, as amended.

MISCELLANEOUS MEASURE

Committee on Energy and Commerce: Subcommittee on Energy and Power held a markup on a bill to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, promote energy efficiency and government accountability, and for other purposes. The bill was forwarded to the full committee, without amendment.

PROMOTING BROADBAND INFRASTRUCTURE INVESTMENT

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a hearing entitled ''Promoting Broadband Infrastructure Investment''. Testimony was heard from public witnesses.

EXAMINING FEDERAL RESERVE REFORM PROPOSALS

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled ''Examining Federal Reserve Reform Proposals''. Testimony was heard from public witnesses.

THE IRAN NUCLEAR DEAL AND ITS IMPACT ON TERRORISM FINANCING

Committee on Financial Services: Task Force to Investigate Terrorism Financing held a hearing entitled ''The Iran Nuclear Deal and Its Impact on Terrorism Financing''. Testimony was heard from public witnesses.

PROMOTING U.S. COMMERCE IN THE MIDDLE EAST AND NORTH AFRICA

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled ''Promoting U.S. Commerce in the Middle East and North Africa''. Testimony was heard from Elizabeth Richard, Deputy Assistant Secretary, Bureau of Near Eastern Affairs, Department of State; and Scott Nathan, Special Representative for Commercial and Business Affairs, Bureau of Economic and Business Affairs, Department of State.

THE UNFOLDING CRISIS IN BURUNDI

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled ''The Unfolding Crisis in Burundi''. Testimony was heard from public witnesses.

AN ANALYSIS OF THE OBAMA ADMINISTRATION'S SOCIAL COST OF CARBON

Committee on Natural Resources: Full Committee held a hearing entitled ''An Analysis of the Obama Administration's Social Cost of Carbon''. Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Indian, Insular and Alaska Native Affairs held a hearing on H.R. 1880, the ''Albuquerque Indian School Land Transfer Act''; and H.R. 2388, the ''Subsistence Access Management Act of 2015''. Testimony was heard from Mike Black, Director, Bureau of Indian Affairs, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a markup on H.R. 598, the ''Taxpayers Right-To-Know Act''; H.R. 2320, the ''Federal Improper Payments Coordination Act of 2015''; H.R. 3089, the ''Grants Oversight and New Efficiency Act'' or the ''GONE Act''; H.R. 1613, the ''Federal Vehicle Repair Cost Savings Act of 2015''; S. 136, the ''Gold Star Fathers Act of 2015''; H.R. 3116, the ''Quarterly Financial Report Reauthorization Act''; H.R. 322, to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the ''Sgt. Zachary M. Fisher Post Office''; H.R. 323, to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the ''Sgt. Amanda N. Pinson Post Office''; H.R. 324, to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the ''Lt. Daniel P. Riordan Post Office''; H.R. 558, to designate the facility of the United States Postal Service located at 55 South Pioneer Boulevard in Springboro, Ohio, as the ''Richard 'Dick' Chenault Post Office''; H.R. 1884, to designate the facility of the United States Postal

Service located at 206 West Commercial Street in East Rochester, New York, as the ''Officer Daryl R. Pierson Memorial Post Office''; and H.R. 3059, to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the ''James Robert Kalsu Post Office''. The following bills were ordered reported, as amended: H.R. 598, H.R. 2320, and H.R. 3089. The following bills were ordered reported, without amendment: H.R. 1613, S. 136, H.R. 3116, H.R. 322, H.R. 323, H.R. 324, H.R. 558, H.R. 1884, and H.R. 3059.

ENFORCE THE LAW FOR SANCTUARY CITIES ACT

Committee on Rules: Full Committee held a hearing on H.R. 3009, the ''Enforce the Law for Sanctuary Cities Act''. The committee granted, by record vote of 8–3, a closed rule for H.R. 3009. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. Testimony was heard from Chairman Goodlatte and Representative Lofgren.

HOW TAX COMPLIANCE OBLIGATIONS HINDER SMALL BUSINESS GROWTH

Committee on Small Business: Full Committee held a hearing entitled ''How Tax Compliance Obligations Hinder Small Business Growth''. Testimony was heard from J. Christopher Mihm, Managing Director, Strategic Issues, Government Accountability Office; and public witnesses.

HELPING REVITALIZE AMERICAN COMMUNITIES THROUGH THE BROWNFIELDS PROGRAM

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing entitled ''Helping Revitalize American Communities Through the Brownfields Program''. Testimony was heard from Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency; Cindy Hafner, Chief Legal Counsel, Ohio Environmental Protection Agency; J. Christian Bollwage, Mayor of the City of Elizabeth, New Jersey; Vernice Miller-Travis, Vice Chair, Maryland Commission on Environmental Justice and Sustainable Communities, and member, National Environmental Justice Advisory Council to U.S. EPA; and public witnesses.

SECRETARY'S TESTIMONY REGARDING THE PENDING VA HEALTH CARE BUDGET SHORTFALL AND SYSTEM SHUTDOWN

Committee on Veterans' Affairs: Full Committee held a hearing to receive the Secretary's testimony regarding the pending VA health care budget shortfall and system shutdown. Testimony was heard from Robert McDonald, Secretary, Department of Veterans Affairs.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Subcommittee on Health held a markup on H.R. 272, the ''Medal of Honor Priority Care Act''; H.R. 359, the ''Veterans Dog Training Therapy Act''; H.R. 421, the ''Classified Veterans Access to Care Act''; H.R. 423, the ''Newborn Care Improvement Act''; H.R. 1862, the ''Veterans' Credit Protection Act''; H.R. 2464, the ''Demanding Accountability for Veterans Act of 2015''; H.R. 2915, the ''Female Veteran Suicide Prevention Act''; H.R. 3016, the ''VA Provider Equity Act''; and H.R. 3106, to authorize Department major medical facility construction projects for fiscal year 2015, to amend title 38, United States Code, to make certain improvements in the administration of Department medical facility construction projects, and for other purposes. The following bills were forwarded to the full committee, as amended: H.R. 421 and H.R. 3106. The following bills were forwarded to the full committee, without amendment: H.R. 272, H.R. 359, H.R. 423, H.R. 1862, H.R. 2464, H.R. 2915, and H.R. 3016.

HOSPITAL PAYMENT ISSUES, RURAL HEALTH ISSUES, AND BENEFICIARY ACCESS TO CARE

Committee on Ways and Means: Subcommittee on Health held a hearing with MedPAC to discuss hospital payment issues, rural health issues, and beneficiary access to care. Testimony was heard from Mark Miller, Executive Director, Medicare Payment Advisory Commission.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D798)*

H.R. 91, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans. Signed on July 20, 2015. (Public Law 114–31)

H.R. 728, to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the ''Sergeant First Class William B. Woods, Jr. Post Office''. Signed on July 20, 2015. (Public Law 114–32)

H.R. 891, to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the ''Floresville Veterans Post Office Building''. Signed on July 20, 2015. (Public Law 114–33)

H.R. 1326, to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the ''Sergeant First Class Daniel M. Ferguson Post Office''. Signed on July 20, 2015. (Public Law 114–34)

H.R. 1350, to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the ''Herman Badillo Post Office Building''. Signed on July 20, 2015. (Public Law 114–35)

H.R. 2620, to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act. Signed on July 20, 2015. (Public Law 114–36)

S. 179, to designate the facility of the United States Postal Service located at 14 3rd Avenue, NW., in Chisholm, Minnesota, as the ''James L. Oberstar Memorial Post Office Building''. Signed on July 20, 2015. (Public Law 114–37)

COMMITTEE MEETINGS FOR THURSDAY, JULY 23, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to markup an original bill entitled, ''Financial Services and General Government Appropriations Act, 2016'', 10:30 a.m., SD–106.

Committee on Armed Services: to hold hearings to examine the nomination of Lieutenant General Robert B. Neller, USMC, to be General and Commandant of the Marine Corps, 9:30 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine measuring the systemic importance of United States bank holding companies, 9:30 a.m., SD–538.

Committee on Finance: to hold hearings to examine the nomination of W. Thomas Reeder, Jr., of Virginia, to be Director of the Pension Benefit Guaranty Corporation, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine Iran nuclear agreement review, 10 a.m., SD–G50.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine health information technology, focusing on information blocking and potential solutions, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nomination of Denise Turner Roth, of North Carolina, to be Administrator of General Services, General Services Administration, 10 a.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 1169, to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and the nomination of Michael C. McGowan, to be United States Marshal for the District of Delaware, Department of Justice, for the term of four years, 10 a.m., SD–226.

Subcommittee on the Constitution, to hold hearings to examine Dodd-Frank at five years, 2 p.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing entitled ''Examining the Costs and Consequences of the Administration's Overtime Proposal'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, markup on H.R. 1344, the ''Early Hearing Detection and Intervention Act''; H.R. 1462, the ''Protecting Our Infants Act''; H.R. 1725, the ''National All Schedules Prescription Electronic Reporting Reauthorization Act (NASPER)''; and H.R. 2820, the ''Stem Cell Therapeutic and Research Reauthorization Act'', 10 a.m., 2123 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade, markup on H.R. 985, the ''Concrete Masonry Products, Research, Education, and Promotion Act of 2015''; the ''Child Nicotine Poisoning Prevention Act of 2015''; and the ''E-Warranty Act of 2015'', 1 p.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''Ending 'Too Big to Fail': What is the Proper Role of Capital and Liquidity?'', 10 a.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''National Credit Union Administration Operations and Budget'', 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Asia and the Pacific, hearing entitled ''America's Security Role in the South China Sea'', 2 p.m., 2172 Rayburn.

Full Committee, hearing entitled ''Implications of a Nuclear Agreement with Iran, Part III'', 9 a.m., 2172 Rayburn.

Subcommittee on the Western Hemisphere, hearing entitled ''Pursuing North American Energy Independence: Mexico's Energy Reforms'', 2 p.m., 2200 Rayburn.

Committee on Homeland Security, Subcommittee on Transportation Security, markup on H.R. 3102, the ''Airport Access Control Security Improvement Act of 2015''; a Committee Print consisting of the ''Transportation Security Administration Reform and Improvement Act of 2015''; and the ''Partners for Aviation Security Act'', 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Immigration and Border Security, business meeting to request Department of Homeland Security departmental reports on the beneficiaries of H.R. 422, for the relief of Corina de

Chalup Turcinovic; and H.R. 396, for the relief of Maria Carmen Castro Ramirez and J. Refugio Carreno Rojas; and hearing entitled ''Sanctuary Cities: a Threat to Public Safety'', 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Federal Lands, hearing entitled ''New and Innovative Ideas for the Next Century of Our National Parks'', 10 a.m., 1324 Longworth.

Subcommittee on Water, Power and Oceans, hearing on H.R. 564, the ''Endangered Salmon and Fisheries Predation Prevention Act''; H.R. 1772, the ''Delaware River Basin Conservation Act of 2015''; and H.R. 2168, the ''West Coast Dungeness Crab Management Act'', 10:30 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, Subcommittee on the Interior, hearing entitled ''Modernizing the National Park Service Concession Program'', 9 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Energy; and Subcommittee on Oversight, joint hearing entitled ''The EPA Renewable Fuel Standard Mandate'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Health and Technology, hearing entitled ''Modern Tools in a Modern World: How App Technology is Benefitting Small Businesses'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, markup on General Services Administration Capital Investment and Leasing Program Resolutions; H.R. 2954, to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the ''Jacob Trieber Federal Building, United States Post Office, and United States Court House''; S. 261, to designate the United States courthouse located at 200 NW 4th Street in Oklahoma City, Oklahoma, as the William J. Holloway, Jr., United States Courthouse; H.R. 3114, to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes; and other matters cleared for consideration, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, hearing on the Internal Revenue Service's audit selection process and internal controls within the Tax Exempt and Government Entities division, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, Subcommittee on Department of Defense Intelligence and Overhead Architecture, hearing on ongoing intelligence activities, 9 a.m., HVC–304. This hearing will be closed.

Next Meeting of the SENATE

9:30 a.m., Thursday, July 23

Senate Chamber

Program for Thursday: Senate will continue consideration of the motion to proceed to consideration of H.R. 22, Hire More Heroes Act, post-cloture.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, July 23

House Chamber

Program for Thursday: Consideration of H.R. 1599—Safe and Accurate Food Labeling Act of 2015 (Subject to a Rule). Consideration of H.R. 3009—Enforce the Law for Sanctuary Cities Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Becerra, Xavier, Calif., E1100
Brady, Kevin, Tex., E1105
Brooks, Susan W., Ind., E1099, E1101, E1103
Cleaver, Emanuel, Mo., E1106
Coffman, Mike, Colo., E1102
Conyers, John, Jr., Mich., E1099
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Dent, Charles W., Pa., E1098
Duffy, Sean, P., Wisc., E1105
Graves, Sam, Mo., E1105
Hanna, Richard L., N.Y., E1102, E1106
Huffman, Jared, Calif., E1098
Jackson Lee, Sheila, Tex., E1108
Jones, Walter B., N.C., E1106
Marchant, Kenny, Tex., E1102
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