

mandates and things like that. We certainly are not sending an appropriation along that is compliant with this bill. We are certainly not sending money along and extra staff to be able to generate the reports that would come about as a result of this bill.

It just seems to me that it would be fair for the Executive to say that that is not a constitutionally implicated provision for which we are using our discretion to either formally or not formally enforce; therefore, we don't need to write a report but for this amendment. Yet, since we don't have the money and since, I am sure, that my friends on the Republican side wouldn't want to bog down government, they should just be able to waive the requirement if there are not sufficient funds to comply.

I want to point out, Madam Speaker, that this particular bill would have the effect of burdening government unless we do have some provision for the Executive to escape it given its overburdening nature. This particular bill would be an undue burden.

I also think it is important to point out—I think it is very important for everyone listening to this debate to know, Madam Speaker—that existing law already requires the Department of Justice to submit a report to Congress when it determines that nonenforcement is recommended because the law is unconstitutional. So, when we need a report, the law already requires that we would get one; but informal? Think about the way this bill is written. It would require a Federal agency to issue a report even in the case of informal nonenforcement.

Does that mean that if somebody decides not to charge out a case that one has to write a report on it? Does that mean that if EPA officials cannot get down to every single polluter because they are dealing with the big ones that they have got to write a report about it? Does that mean that the FBI cannot prioritize the dangerousness of crimes and go after the most dangerous people and work with local law enforcement to deal with the other ones?

This is a ridiculous piece of legislation being offered. It would generate all types of burdens, and in order to meet and comply with it, it would require all types of expenses and extra staff. Since my Republican friends and I agree that it would not be a good idea to just push unfunded mandates on the government, I am sure that I will be able to get a lot of votes from both sides of the aisle that would allow the executive branch to waive reporting requirements.

Mr. COHEN. Will the gentleman yield?

Mr. ELLISON. I yield to the gentleman from Tennessee.

Mr. COHEN. You said you would definitely get a whole bunch of folks on both sides of the aisle?

Mr. ELLISON. In reclaiming my time, I thank the gentleman from Tennessee. I am sure we will get plenty of people on both sides.

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

Mr. FRANKS of Arizona. Madam Speaker, I claim time in opposition to the gentleman's amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

□ 1815

Mr. FRANKS of Arizona. Madam Speaker, I would oppose the amendment, as it would explicitly grant the Attorney General the unilateral power to negate the entire bill based on his own subjective determination of what constitutes "sufficient" appropriations.

This amendment would shield from accountability the President, the Attorney General, and any other Federal employee from the duty to take care that the laws are faithfully executed.

Madam Speaker, we know that this bill will not cost the taxpayers any money, according to the nonpartisan Congressional Budget Office. As stated in their official view submitted, CBO estimates:

Enacting the bill would not affect direct spending or revenues.

CBO estimates that implementation of the bill would not have a significant effect on the budget because such reporting costs are small and subject already to the availability of appropriated funds.

So, Madam Speaker, why does this amendment grant the Attorney General the unilateral authority to conclude otherwise?

Well, Madam Speaker, the Attorney General works for the President, and when given the opportunity to immunize the President from accountability, what does one think the Attorney General would do? It is logical to assume he would shield the President from accountability.

The base bill is specifically designed to hold the President accountable. This amendment, on the other hand, would allow his own Attorney General to shield the President from accountability, thereby gutting the bill, and so this amendment should be roundly defeated.

Madam Speaker, we have had significant debate here, but it is important to remind ourselves what it really is all about. The rule of law is truly the only context in which human freedom on Earth can exist. It is incumbent upon those of us who have taken an oath to uphold the Constitution of the United States to protect that rule of law here tonight. This is the intention of this bill. This is the deep commitment that should be on the part of all of us.

With that, I hope my colleagues would defeat this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill, as amended, and on the amendment by the gentleman from Minnesota (Mr. ELLISON).

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 3973 is postponed.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-97)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared on March 15, 1995, is to continue in effect beyond March 15, 2014.

The crisis between the United States and Iran resulting from the actions and policies of the Government of Iran has not been resolved. The Joint Plan of Action (JPOA) between the P5+1 and Iran went into effect on January 20, 2014, for a period of 6 months. This marks the first time in a decade that Iran has agreed to and taken specific actions to halt its nuclear program and to roll it back in key respects. In return for Iran's actions on its nuclear program, the P5+1, in coordination with the European Union, are taking actions to implement the limited, temporary, and reversible sanctions relief outlined in the JPOA.

Nevertheless, certain actions and policies of the Government of Iran are contrary to the interests of the United States in the region and continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and to maintain in force comprehensive sanctions against Iran to deal with this threat.

BARACK OBAMA.
THE WHITE HOUSE, March 12, 2014.

45TH ANNIVERSARY OF THE MINORITY BUSINESS DEVELOPMENT AGENCY

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

Mr. COHEN. Madam Speaker, I rise today to applaud the Minority Business Development Agency on its 45th anniversary.

The Minority Business Development Agency was established by executive order on March 5, 1969, and has worked to promote the growth and global competitiveness of a critical segment of

the U.S. economy, the minority business community. Through their nationwide network of MBDA Business Centers, the MBDA has helped minority firms access contracts, capital, and enter market opportunities, both domestic and global.

Over the last 5 years specifically, this assistance has provided minority firms access to nearly \$20 billion in contracts and capital. I thank the MBDA for all it has accomplished over the last 45 years, especially the work at the Memphis MBDA Business Center in Tennessee Nine, my congressional district in Memphis, Tennessee.

In the coming years, the growth of America's workforce will come from minorities, and we need strong minority businesses to achieve maximum economic growth. I am certain the MBDA will lead the Nation to achieving our full potential.

HONORING DON MANN

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

Mr. SCHRADER. Mr. Speaker, I rise today to pay tribute to a man who has spent over 37 years in public service, including 20 years in my district in beautiful Newport, Oregon.

I am speaking, of course, about Don Mann, who recently retired as general manager of the Port of Newport after 18 years at the helm. Don's tenure at the Port was marked by significant changes that will reverberate in that region for years to come. His leadership and vision are beginning to make the central Oregon coast an economic hub.

Don led the charge, putting together the proposal that relocated NOAA's Pacific Marine Operations to Newport, Oregon, against all odds and some pretty big cities to the north. It is an incredible achievement that cannot be understated.

Not to rest on his laurels, Don has continued to work hard improving the international Port of Newport, which will also provide significant economic development for that region.

I just want to say, Don, it has been a pleasure working with you. I have enjoyed it immensely. Your tireless work on behalf of Oregonians is recognized. I wish you and Carolyn all the best in retirement.

Take care, my friend.

SETTING THE RECORD STRAIGHT

The SPEAKER pro tempore (Mr. HOLDING). Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, at this time I would like to yield to my dear friend, Mr. LAMALFA.

Mr. LAMALFA. I appreciate my good friend from Texas. Thank you for yielding time tonight.

I wanted to speak a little bit about some issues affecting California and the wise use of U.S. taxpayer dollars.

California's high-speed rail, on its surface, may have sounded promising to voters when they acted on it in the 2008 election—until you take a closer look at it.

Once the planning on the project began, the public found it would take billions of dollars to build and operate beyond what they were promised when it was on the ballot. What had been a \$33 billion ballot pricetag was exposed at a November 2011 public hearing as a nearly \$100 billion project.

After some scrambling to make plan changes, which likely render it illegal from the enabling legislation voters passed as Prop 1A, we now see the current \$69 billion plan, which uses low-speed modes in the urban areas of San Francisco and LA, again, found illegal under Proposition 1A. The tripled, then discounted, doubled pricetag is far from what 52 percent of California voters said "yes" to.

High-speed rail's ballot measure was delayed by the State legislature two election cycles before finally placing the High Speed Rail Initiative on the 2008 ballot, where Californians approved what they thought would be a reasonably managed project to connect San Francisco to Los Angeles with a 220-mile per hour train.

Because of Proposition 1A, the State could fund a portion of the construction with \$9.95 billion in bond funds, with the assumption that the rest of the money would come from private investors. At the time, the 2009 stimulus act was unknown.

The high-speed rail project that we have today has been plagued with poorly drafted funding plans, with little or no accountability to anyone for the absurd amounts of money spent so far. No accountability means millions of dollars spent on consultants, environmental impact reports, even lobbying here in Washington, D.C., and on numerous lawsuits from Californians who stand to lose their homes, farms, and businesses because they are in the path the high-speed rail would travel.

Recently, a Superior Court judge ruled that the High Speed Rail Authority needed to redraft a 2011 funding plan for the project. The judge halted all bond sales because the Authority hadn't attained the necessary environmental clearances for the areas of the State where construction is planned to begin, nor shown there was even a plan of financing to complete even the first phase of the project.

Meanwhile, the State schemes to inappropriately use truck weight fees or to use cap-and-trade funds in order to prop up the high-speed rail's bottom line.

If a Superior Court judge says that Californians can't spend any more money on the planning and construction of high-speed rail, why should America taxpayers via the Federal Government?

Nearly \$3.3 billion in grant money has been awarded to the High Speed Rail Authority by the Federal Government via the aforementioned stimulus package that was approved in 2009 by a different Congress. This is to spend on construction. However, the Federal grant award is based on California's ability to match the Federal dollars with State funds from the bond. So it is my hope the Federal Government will put all the money earmarked for the high-speed rail on hold.

Mr. Speaker, given the judge's recent ruling, I don't believe it is in the best interest of California's taxpayers or America's taxpayers to continue throwing money down this high-speed rathole. These Federal dollars should be used for pretty much anything else, such as building more freeway lanes, expanding airports, or, especially in this time of severe drought in California and the West, redirecting these scarce dollars to alleviate drought now and in the future with new water storage and infrastructure, which all Californians will benefit from.

Instead, even after the judge's ruling, the High Speed Rail Authority said that they would continue to press forward the funding efforts to seize land from farms and businesses and hurriedly perform the necessary and very expensive environmental reviews. They now plan to front-load the project with funding from the U.S. taxpayer via the Federal funds we saw in the stimulus package because the State funding has been put on hold by the judge unless we in D.C. say "no."

California has \$8.6 billion in bond dollars left to spend on building the high-speed rail, as nearly \$1 billion has already been spent without yet turning a shovel. Assuming they still receive the \$3.3 in stimulus funding and the total cost to build is the lowball number of \$69 billion, this means the High Speed Rail Authority has less than one-sixth of the funding necessary secured at this time. To me, the math doesn't add up. Perhaps in Fantasyland, where the monorail rail runs, it does.

Would you continue to invest in something that has a majority of the already-secured funding put on hold because your illegal business plan has holes big enough to drive a train through? I think not.

The Authority also hasn't shown any restraint in using taxpayer dollars. To date, they have spent upwards of \$600 million on engineering and environmental consultants without ever breaking ground. The Madera-to-Fresno segment alone is going to cost \$987 million—an unbelievable amount of taxpayer dollars for a segment that can't even operate trains as a stand-alone project.

So many affected residents of the Central Valley, and all over the State, are happy the funding has been put on hold. Their farms, residences, and businesses are threatened to be seized, shut down, and destroyed for a project that will not ever happen.