

minds in the private sector who can then commercialize this technology.

Federal R&D is responsible for many of the industries and technologies that now drive our national wealth—the most earth-shattering example, the Internet, developed by government scientists at DARPA.

Federal research spawned the biotech and semiconductor industries; gave us tools like the laser, GPS, and MRI; and, through the World Wide Web and the Internet, has entirely changed the way we find a restaurant, talk to our children, and sell cars.

The role of the private sector in developing technology is vital, and government must lead the way in innovation, providing the patient capital necessary to perform research without any known commercial application or concern for profit.

I am reminded of the fascinating idea that mathematicians who develop things in their heads, in their offices, with no application to anything, so often, within weeks, will find that that mathematical new idea applies to real-life situations.

Einstein marveled at the power of pure mathematics, and he said, “How can it be that mathematics, being after all a product of human thought which is independent of experience, is so admirably appropriate to the objects of reality?”

In 1959, the physicist Eugene Wigner described this problem as “the unreasonable effectiveness of mathematics.”

H.R. 1158 helps bring these pieces together, mathematics, physics, chemistry, biology, and technology; and I urge my colleagues to support it.

Thank you, Chairman SMITH, Mr. HULTGREN, and Mr. PERLMUTTER.

Mr. SMITH of Texas. Mr. Speaker, I continue to reserve the balance of my time.

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

Mr. Speaker, before I wrap up on the bill we are debating right now, I just wanted to thank Chairman SMITH for his work on this, along with Ranking Member JOHNSON. Working together, we were able to get these bills done here on the floor tonight.

I know that tomorrow we will have a little bit more of a contentious debate on a bill coming out of the Science, Space, and Technology Committee; but I just wanted to, again, commend the chairman and Ranking Member JOHNSON for our work together on these bills.

We know there are important things that we can get done and we need to get done and will be very helpful to our Nation, and I am glad that we were able to do those things on these bills that we have brought forward here tonight, a good bipartisan mix of bills showing bipartisan cooperation.

Mr. Speaker, I want to conclude by asking my colleagues to support H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act.

I want to thank Mr. HULTGREN and Mr. PERLMUTTER for their work on this bill. I think there are many things that we can't even see right now that will come out of this, but I am certain that our national labs and the great value that they are to our Nation will continue, and this will allow them to continue to not only do their research, but to do an even better job of producing new technologies that will be a great benefit to all of us.

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

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

Mr. SMITH of Texas. Mr. Speaker, H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act of 2015, enables the Department of Energy (DOE) to better form partnerships with non-federal entities and transfer research to the private sector.

I thank the gentleman from Illinois, Rep. RANDY HULTGREN, for his initiative on this issue, and the gentleman from Colorado, Rep. ED PERLMUTTER, for it cosponsoring this important legislation.

The Department of Energy is the largest federal supporter of basic research and development and sponsors 47 percent of federal basic research in the physical sciences.

The Department's science and energy research is conducted at over 300 sites nationwide. More than 31,000 researchers take advantage of DOE user facilities each year.

This includes the Department's 17 National Labs, which provide the foundation for the Department of Energy's research and development infrastructure.

These labs keep America at the forefront of global technological capabilities. They ensure that we continue to conduct critical research in high energy physics, advanced scientific computing, biological and environmental research, nuclear physics, fusion energy sciences, basic energy sciences, and applied energy research and development in fossil, nuclear and renewable energy.

The innovative early stage research performed at the labs can have great value for the private sector, but often goes unnoticed.

Because of a communication gap between the labs and the private sector, ideas and technology are often slow to reach the market. And federal government red tape discourages the private sector from using the unique state-of-the-art facilities the national labs offer.

This bill grants lab directors signature authority for agreements with private sector entities valued at less than \$1 million. And it extends a pilot program that allows for more flexible contract terms between companies and lab operators.

This bill also requires DOE to assess its capability to authorize, host, and oversee privately funded fusion research and next generation fission reactor prototypes.

Due to regulatory uncertainty from the Nuclear Regulatory Commission, the private sector currently has little incentive or ability to build reactor prototypes.

This legislation represents a bipartisan, bicameral agreement to modernize and increase the productivity of the DOE national lab system.

I again thank Mr. HULTGREN and Mr. PERLMUTTER for their initiative on this issue and encourage my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 1158, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

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REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2262, SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP ACT OF 2015; PROVIDING FOR CONSIDERATION OF H.R. 880, AMERICAN RESEARCH AND COMPETITIVENESS ACT OF 2015; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MAY 22, 2015, THROUGH MAY 29, 2015

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-127) on the resolution (H. Res. 273) providing for consideration of the bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes; providing for consideration of the bill (H.R. 880) to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit; providing for consideration of motions to suspend the rules; and providing for proceedings during the period from May 22, 2015, through May 29, 2015, which was referred to the House Calendar and ordered to be printed.

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REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1335, STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-128) on the resolution (H. Res. 274) providing for consideration of the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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#### VIRGINIA TASK FORCE 1

(Mrs. COMSTOCK asked and was given permission to address the House for 1 minute.)

Mrs. COMSTOCK. Mr. Speaker, I rise tonight to thank the brave men and

women of Virginia Task Force 1, a domestic and international disaster response resource sponsored by the Fairfax County Fire and Rescue Department.

I was honored to welcome these miracle workers home this past Saturday morning after their 3-week deployment to Nepal.

Virginia Task Force 1, in partnership with USAID, is always at the ready to answer the call when tragedy or natural disaster strikes, either at home or abroad. Nepal was devastated by two major earthquakes, resulting in the loss of over 8,500 lives, and Virginia Task Force 1 was there to help.

With their incredible skill and teamwork, they were able to rescue a 15-year-old boy trapped in the rubble for 5 days. When the second earthquake hit, they saved a 41-year-old woman who was trapped in a four-story building. They also medically treated countless others.

When they returned home on Saturday morning, they were enthusiastically greeted by their relatives and families. Those families also endure countless hours of worry while their family members and loved ones are halfway around the world in unfamiliar and dangerous circumstances.

Mr. Speaker, the Members of Virginia Task Force 1 are truly fabulous and wonderful ambassadors for the Commonwealth of Virginia and our country, and it is an honor and a privilege to thank them for their courageous service to the people of Nepal and to the work they do every day in our country.

#### MANDATED FIXED WHEELCHAIR LIFTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Arizona (Mr. SCHWEIKERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCHWEIKERT. Mr. Speaker, I am going to do a budget presentation in a couple of moments, but I wanted to actually come up here and, with my good friend from South Carolina, MICK MULVANEY, talk about a little article that popped up in *The Economist* last week, and there is the issue.

This place has fairly short memories, but about 2 years ago, there were a handful of us coming here and talking about sort of an esoteric issue, something called—what is it—wheelchair lifts.

For those of us who represent resort areas, I am blessed to represent the community of Scottsdale, a wonderful area. I had one of my resort owners call me, and in a fairly gruff voice, saying: "David, do you know what the Justice Department is doing to me? I have seven pools and Jacuzzis, and apparently, I have to put permanent fixed wheelchair lifts at every pool and Jacuzzi."

He said: "I want to be sensitive and caring to my mobility-challenged guests."

He went on to tell me the story that for 10 years, he had had a portable wheelchair lift, and it had never been requested. Here we are, 2 years later. He has torn up his landscaping; he has put in the units. Guess what is now happening?

He has called me and told me that now his insurance rates are starting to really bounce up because of unattractive nuisance. The very things MICK MULVANEY predicted, I like to say I predicted 2 years ago, are coming true.

I would like to yield to the gentleman from South Carolina (Mr. MULVANEY). Tell us the other side of the story of what is going on.

Mr. MULVANEY. Mr. SCHWEIKERT, thank you for the opportunity to talk about this a little bit without the pressures of the 2-minute timer or a 3-minute timer, actually talk about something in detail for a change in this House because it merits the discussion.

My experience with it, Mr. SCHWEIKERT, was exactly the same as yours—they are not exactly the same. I am not from the resort part of South Carolina. Mr. SANFORD and Mr. RICE get that. I am from the more rural inland part of the State; but we have got a lot of freeways and a lot of small businesses operating hotels, a lot of them owned by Asian Americans.

I was approached by a group of Indian American hotel owners last year. These are folks, mom-and-pop operations, that might own one hotel, they might own two. They told me the same story you just told about these pool lifts having to go in.

A lot of them, like your friends with the resorts, had the portable lifts, so if anybody ever asked for help getting into and out of a pool by themselves, they had the ability to do that. Of course, similar to your story, none of them had ever been asked.

The Department of Justice came in and said: You know what, we are going to require you, under the terms of the Americans with Disabilities Act, to put these fixed pool lifts in every single body of water that you have; so if you have a regular size pool, a kiddie pool, and a hot tub, that is three of these fixed lifts.

It was a tremendous burden on these small businesses who, as you mentioned, wanted to help folks who needed help in getting in and out of the pool, but just wanted to do it with a portable machine, as opposed to a standard machine.

□ 1900

They came in, and they said: Look, Mr. MULVANEY, we have seen this act before. This is how we got rid of diving boards. This is why we don't have any diving boards.

Years ago, people said they were an attractive nuisance. Kids were jumping off of them and hurting themselves, so now that entire generation of Americans has grown up without diving boards.

What is going to happen now is that the next generation of Americans is

going to grow up without swimming pools at hotels for the exact reason that you have just mentioned.

We spent 40 years getting rid of these things that children could climb up on and jump off of into the pool, and now the Department of Justice has required these hotel owners to come in and put the exact same thing back in.

It is no longer a diving board. Now it is a mechanical chair. But to an 8-year-old, it looks like something to climb up and jump off of. So they were lamenting the fact not only that their business is going to be hurt but that part of the enjoyment of coming to the hotel would be gone and not available to their customers, and that eventually, you would see them start filling in their swimming pools. Unfortunately, I think that is the way that we are moving.

But they also talked about something—and this is to the point of the article that you just mentioned, *The Economist* from April 25, which is that there was a private right of action in the regulations that came forward. And what this means, to folks who aren't familiar with what that means, is that anybody can sue. In fact, in the United States of America, when anybody can sue, typically, anybody does sue.

The article goes into great length about one very, very energetic plaintiff who filed 529 lawsuits against small-business owners at hotels throughout the southeast. In fact, in one particular period of time, they hit 50 hotels in a row shortly after the regulation became effective so that they could file their lawsuit against the hotel owners.

I will read one of my favorite passages in the article, which is something that should be enlightening for all of us: "There is evidence that lawyers explicitly target small businesses, which are more likely to pay up without a fight."

There we go. That is what we have done in the name of helping people whom folks were already trying to help. But in the name of having the government tell small business and large business how to help people, what do we end up with? Essentially a jobs bill for the plaintiff's bar.

Before we started today, the gentleman from Arizona (Mr. SCHWEIKERT) and I were talking about why we were going to take a few minutes to talk about this.

As my friend from Massachusetts, Barney Frank, said before he left: "Everybody always says, 'I hate to say I told you so,' but the truth of the matter is, people love saying, 'I told you so.'"

This is exactly what we said would happen. And why the Department of Justice saw fit to single out small business hoteliers who were already trying to help people and say, You know what, we know better than you how to help people. You think these portable units are good? Well, we think the fixed units are better. And trust us because we are from the government, and we are here to help you.