the gentlewoman from Indiana (Mrs. BROOKS) that the House suspend the rules and pass the bill, H.R. 1344, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

FREEDOM TO FISH ACT

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 982) to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 982

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 ''Freedom to Fish Act''.

SEC. 2. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

(a) DEFINITIONS.—In this Act:

(1) RESTRICTED AREA.—The term ''restricted area'' means a restricted area for hazardous waters at dams and other civil works structures in the Cumberland River basin established in accordance with chapter 10 of the regulation entitled ''Project Operations: Navigation and Dredging Operations and Maintenance Policies'', published by the Corps of Engineers on November 29, 1996, and any related regulations or guidance.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, acting through the Chief of Engineers.

(b) EXISTING RESTRICTED AREA.—If the Secretary has established a restricted area or modified an existing restricted area during the period beginning on August 1, 2012, and ending on the day before the date of enactment of this Act, the Secretary shall—

(1) cease implementing and enforcing the restricted area until the date that is 2 years after the date of enactment of this Act; and

(2) remove any permanent physical barriers constructed in connection with the restricted area.

(c) ESTABLISHING NEW RESTRICTED AREA.—If, on or after the date of enactment of this Act, the Secretary establishes any restricted area, the Secretary shall—

(1) ensure that any restrictions are based on operational conditions that create hazardous waters;

(2) publish a draft describing the restricted area and seek and consider public comment on that draft prior to establishing the restricted area;

(3) not implement or enforce the restricted area until the date that is 2 years after the date of enactment of this Act; and

(4) not take any action to establish a permanent physical barrier in connection with the restricted area.

(d) EXCLUSIONS.—For purposes of this section, the installation and maintenance of measures for alerting the public of hazardous water conditions and restricted areas, including sirens, strobe lights, and signage, shall not be considered to be a permanent physical barrier.

(e) ENFORCEMENT.—

(1) IN GENERAL.—Enforcement of a restricted area shall be the sole responsibility of the State in which the restricted area is located.

(2) EXISTING AUTHORITIES.—The Secretary shall not assess any penalty for entrance into a restricted area under section 4 of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved December 22, 1944 (16 U.S.C. 460d).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 1350

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend and include extraneous materials on S. 982.

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

There was no objection.

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

S. 982, the Freedom to Fish Act, would prohibit the Corps of Engineers from restricting public access in the vicinity of the 10 dams on the Cumberland River in Kentucky and Tennessee. This bill, this legislation, was introduced in the Senate by the leader, Senator MCCONNELL, and also by Senator RAND PAUL of Kentucky, and our own in-House version authored by our colleague, ED WHITFIELD from Kentucky.

The bill provides for a 2-year moratorium to give the public, the two States, and the Corps of Engineers more time to carefully review conditions at these facilities, and to deal with the immediate threat to fishing, tourism, and the economy.

I applaud our leadership for bringing this legislation to the floor today. This is an excellent example of Congress exercising our constitutional authority to oversee Federal agencies. Far too often, the executive branch and the Federal bureaucracy operate without input and guidance from Congress. My colleagues on the floor of this House every day criticize rules, regulations, and actions by unelected bureaucrats that hurt our districts, our constituents, and our economy. Congress has the right, the constitutional duty, to oversee Federal agencies and provide them with clear guidance and direction.

As chairman of the Transportation and Infrastructure Committee, problems with the Army Corps of Engineers are frequently brought to my attention by my colleagues from both sides of the aisle, Republicans and Democrats. I am pleased to work whenever possible to address these issues with clear guidance from Congress.

With that, I reserve the balance of my time.

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

The pending measure was introduced in the Senate on May 16 of this year, 2013, and passed the very same day. While the bill is apparently a Senate-revised version of the legislation introduced in February of 2013, no committee hearings or markups were held on either bill.

Since 1996, the Army Corps of Engineers has been required to establish restricted areas for hazardous waters upstream and downstream of all Corps dams. As written, S. 982 would revise the current agency policy and would also prohibit the Army Corps of Engineers from establishing any restricted areas in hazardous waters at dams and other structures in the Cumberland River basin for a period of 2 years, and also require them to remove any physical barriers that already exist to prevent access to the hazardous areas. If after the 2-year moratorium, the Corps decided to implement new restricted areas around these dams and other structures, it would continue to be prohibited from erecting any physical barriers to prevent people from entering hazardous areas.

Mr. Speaker, I have serious concerns over this legislation because it does pose risks for public safety and national security. Currently, the Corps restricts access to certain areas above and below the dams of the Cumberland River basin in order to keep people from being sucked into the spill waste or from having their boats swamped or sunk by unplanned releases from the hydropower units, which are very much un-timed. The reason they do this is very simple: to prevent people from drowning and to restrict access to Federal dams that would be targets for terrorism or destruction. Without full-time law enforcement patrols, areas above and below dams are not constantly monitored, and the Corps has not been able to alert and rescue people who get into trouble. They have to base it on people who are in boats nearby to help effect a rescue. Fourteen people drowned in the last few years, and there have been 20 near misses where there is no Corps staff to help.

In fact, according to a report by WRCB–TV in Chattanooga, Tennessee, there have been three fatalities in the hazardous waters immediately downstream of those dams on the Cumberland River. The waters are so hazardous at these locations that wearing a life jacket is ineffective. And I repeat: ineffective.

To legislatively preclude a Federal agency from protecting public health and national security seems a very unwise course of action, and I have significant concerns about the precedent that would be set by this legislation.

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

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. WHITFIELD), the author of the House version of this bill.

Mr. WHITFIELD. Chairman SHUSTER, I want to thank you and Ranking Member NAPOLITANO for agreeing to bring this important legislation to the floor. I will tell you, last September the Army Corps of Engineers made a decision that at the 10 dams located on the Cumberland River, they would put up a barrier of fishing near these dams in the tailwaters.

Despite opposition from the Governors of Tennessee and Kentucky, the Fish and Wildlife Services of Kentucky and Tennessee, Senator ALEXANDER, Senator CORKER, Congressman JIM COOPER, MARSHA BLACKBURN of Tennessee, STEVE FINCHER, myself, RAND PAUL, MITCH MCCONNELL and others—we wrote letters to the Corps. We had public meetings with the Corps. We sent petitions to the Corps. We had phone calls with the Corps, and asked them to delay the implementation, primarily because of the sequestration and the amount of money that it would take to put these barriers up, which would be almost $3 million.

Despite our best efforts, and we had meetings at which 400 to 500 people attended, they refused to delay the implementation. So I rise today to support this Senate bill because it delays the implementation for 2 years.

I want to thank the gentlelady for bringing up the safety issue. All of us are very much concerned about the safety issue. But I would like to point out that in the 42 years of the history of these dams on the Cumberland River in Tennessee and Kentucky, there have been 881 drownings in the collective lakes and waters not including the area immediately around the dam. There have only been 14 drownings—and any drowning is too many—but in 42 years around the dam where they are focused on, there have been 14 drownings. I might say that of those 14 drownings, five of them occurred on the banks; two of them were of unknown causes; three were because people were not even wearing life jackets; three were because they were wearing the life jackets improperly; and only one drowning occurred in 42 years where the person was wearing the life jacket properly.

So I would say to the Corps, the real safety issue relates to the collective waters not around the dams. Of course, we all are very much concerned about protecting the homeland, homeland security, and I will tell you in these very rural areas of Tennessee and Kentucky where these dams are located, many people are out there fishing.

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

Mr. SHUSTER. I yield the gentleman an additional minute.

Mr. WHITFIELD. I thank the gentleman.

These are very rural areas. I will tell you that the Fish and Wildlife Service provides a great deal of protection and enforcement of broken laws in this area. Many of these people are quite familiar with each other, and I'm not going to be able to address the homeland security issue in detail, except to say that it is enforced. Many of the people who fish there through the fishing competitions and for the economic growth know each other.

But on the safety issue, I would just say 14 drownings in 42 years around the dam itself, 881 in other areas, and so we're not asking that this be a permanent restriction. We are simply asking the Corps to work with the Governors, the Fish and Wildlife Services of both States, the Senate and House, and local county judges to address it in a more permanent way.

So I would respectfully request that you approve the Senate bill, which would simply delay this for 2 years for additional study.

□ 1400

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I might consume to say it'd be nice to know why the Army Corps has not really been effective in getting back to the parties that have asked for information and working with them; and it would be very much interesting to know whether or not it's because of sequestration or budget or whatever, but we might delve into it later.

I yield 3 minutes to the gentleman from Tennessee, Congressman COOPER.

Mr. COOPER. I thank the gentlelady for yielding.

This is a completely bipartisan measure, and I hope that we have an overwhelming vote in support of it.

The Freedom to Fish Act is a very responsible piece of legislation put forward in the Senate by my colleague, Senator LAMAR ALEXANDER.

In the hearing on the Senate side, Senator FEINSTEIN pointed out to the Army Corps of Engineers' witness how reasonable Senator ALEXANDER was trying to be, how reasonable this approach was. So I think we can say with some certainty that this is something that should be overwhelmingly supported by this House.

For my colleagues, the Cumberland River is perhaps unknown to you. It's a beautiful river. Every elected official that I'm aware of in our area, Democrat and Republican, supports this legislation.

Safety is an issue, but so is overreaching by our friends at the Corps. Occasionally they're a little bit tone deaf, especially if they get transferred in and out a little bit too quickly.

This is an amazing little way to fish here, below the dams. Some of you not realizing, you think fish is this big or this big. Some of these fish are 30 and 40 pounds.

This is a magnificent recreational resource that has been unfairly harmed by proposed Corps actions and by, really, an official who will be soon moving away from our area and living in another part of the country. He's a fine gentleman, but this is an opportunity for us to reclaim our local rights, our traditions, our freedom to fish.

I would urge colleagues on both sides of the aisle to have a little common sense here. Support S. 982. It's a very reasonable approach to trying to solve this problem, solving this dispute with the Corps. Support S. 982.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I do rise today to support this legislation and to support the sportsmen from Tennessee and Kentucky. And as you can see, this is an issue where there is bipartisan agreement.

One of my constituents said it so well. They're so frustrated with this situation, and we've heard from so many of them on it. And they said, you know, you can turn on the TV any night and you see government overreach, whether it's the IRS admitting that they have targeted conservative groups or DOJ wiretapping reporters. And then you get home to Tennessee and, at the local level, what you see is the Corps of Engineers coming in and saying, well, by the way, we're going to change something, and you're not going to be able to fish.

Fishing in Tennessee is a tradition. It is a favorite pastime. Sportsmen have been fishing along this beautiful Cumberland River for years. As Mr. COOPER said, it is a beautiful place to be. And since the dams were built, I have to tell you, there are now generations of Tennesseeans, you will see families out together fishing. We have about 900,000 registered anglers in our State, and I have to tell you, I think our office has heard from almost every one of them on this issue. They have been very persistent.

One thing I would want my colleagues to know is that our sportsmen in our State are wonderful stewards of conserving our natural resources and the great outdoors, and they exercise personal responsibility and great care in protecting their favorite place to go fishing.

It is really to the disbelief of the Army Corps of Engineers that we already know when it is safe or not to go fish in these tailwaters. So what we're saying is let's right this wrong, and let's allow individuals to get back and enjoy the Freedom to Fish Act. Pass it today.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself the balance of the time.

I really appreciate the information from my colleagues on the other side. It is only for 2 years, which is time enough to be able to have the Corps and the individual participants be able to come to some agreement.

The fact that there is, according to my colleague, no fishing, I think it's only in certain areas, which would be at the lip of the dam and below the

dam where the spill is where there is danger of boats getting swamped, and so it is something that we need to look forward and see what happens.

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

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Speaker, spring is upon us, a season that is important to several of Kentucky's signature industries. Not only does spring signify horse racing and the Kentucky Derby, but it also marks the beginning of the adventure and outdoor tourism season as well.

Tourism is an $11.7 billion signature industry in my State, employing over 166,000 Kentuckians and accounting for 1 in 10 jobs across the Commonwealth. A major part of Kentucky tourism stems from one of America's favorite pastimes—fishing.

In my district, the Kentucky River is enjoyed by many, many, as it stretches from the Daniel Boone National Forest and meanders through horse farms in the central Bluegrass, specifically in Woodford and Franklin Counties.

Fishermen especially enjoy fishing in the Kentucky River's tailwaters surrounding locks and dams, areas notorious for having an abundance of fish. Unfortunately, the Army Corps of Engineers has decided to prohibit tailwater fishing in a sister river just south of my district, the Cumberland River, where many of my constituents travel to engage in their favorite pastime.

This is yet another example of government overreach, where this time the government is telling us how to fish in water systems that have been safely utilized for generations. We must not allow the Corps to set a precedent for regulating how Kentuckians and Americans alike spend their time outdoors.

As our fragile economy continues to recover, my constituents tell me that they plan on sticking closer to home to recreate this spring and summer. Overregulation of fishing is a deterrent to family time and harms our local businesses that depend on the revenue from seasonal recreation and tourism.

I ask my colleagues to join me in support of the Freedom to Fish Act, which places a 2-year moratorium on the Corps' plan to restrict access to tailwaters in the Cumberland River.

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

Mr. SHUSTER. I yield the gentleman an additional 30 seconds.

Mr. BARR. This will allow us time to implement a permanent plan to halt Army Corps from setting a precedent of restricting access to any tailwaters going forward.

I'm an original cosponsor of this legislation—and I applaud the leadership of Mr. WHITFIELD, my colleague from Kentucky—and that does exactly this: protect fishermen in rural economies and Americans' right to choose how they recreate.

Mr. SHUSTER. Mr. Speaker, it's now a great pleasure for me to yield 2 minutes to the gentleman from Frog Jump, Tennessee (Mr. FINCHER).

Mr. FINCHER. Thank you, Mr. Chairman, for yielding.

I have had the privilege of fishing actually on the Cumberland River at Barkley Dam. My grandfather took me many times to fish there. And how this would work, and why it's such a good fishing spot is, when they would release the water from the top of the dam and when it would come under and come in the back of the dam, the waters would roll up, and the big fish that we talk about would roll up off the bottom, and that's why the fishing is so good.

And it's like we don't have enough things to do in Washington that we're dealing with this issue today. I want to thank Mr. WHITFIELD for bringing this up, but commonsense solutions to problems are what we should be talking about. And the Corps, in many respects, they do good work, but bringing this up, stopping the fishing from occurring at the dams and on the rivers, the Cumberland River in specific, is ridiculous.

We need to get down to the business of America—let's let people fish where they've always fished, like my grandfather took me to Barkley Dam over and over and over, time and time again—and get to the real issues.

I urge my colleagues to support this legislation today, and let's give the power back to the people—commonsense solutions for real problems.

□ 1410

Mr. SHUSTER. Mr. Speaker, in closing, once again, I just want to applaud our leadership for bringing this legislation to the floor today. As I said earlier, this is an excellent opportunity, excellent example for Congress to exercise our constitutional authority over these Federal agencies.

With that, I would urge all my colleagues to join in supporting this important legislation, S. 982, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, S. 982.

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

A motion to reconsider was laid on the table.

AUTHORIZING USE OF EMANCIPATION HALL FOR UNVEILING OF STATUE OF FREDERICK DOUGLASS

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 16) authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 16

Resolved by the Senate (the House of Representatives concurring), That

SECTION 1. USE OF EMANCIPATION HALL FOR THE UNVEILING OF FREDERICK DOUGLASS STATUE.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 19, 2013, to unveil a statue of Frederick Douglass.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. MILLER of Michigan. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of Senate Concurrent Resolution 16, authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass, a great abolitionist. Frederick Douglass is a pivotal figure in American history who had an unyielding dedication to equal rights, the abolition of slavery, and the enhancement of women's suffrage. His brave actions and compelling writings inspired and forever changed this grateful Nation.

Born into slavery, Frederick Douglass escaped to New York in 1838 disguised as a free uniformed sailor. Upon achieving his own freedom, he quickly and unwaveringly turned his life's mission to seeking freedom, justice, and equality for all. Frederick Douglass inspired in African Americans the fundamental that one's achievement cannot be limited by one's color and that the American Dream is within reach for all Americans, regardless of race.

Over a century has passed since his death, and yet his contribution to American society is very much alive today. His tireless dedication, brilliant words, and inclusive vision of humanity continue to inspire people of all races. In considering the remarkable achievements of Frederick Douglass and his contributions to our rich history, his presence within the United States Capitol will honor this institution and serve as endearing testimony to this Nation's struggle for freedom and for equality.

I want to thank the Senator from the State of New York, Mr. SCHUMER, for