United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, TUESDAY, JULY 16, 2013 No. 101

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. BENTIVOLIO).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 16, 2013.

I hereby appoint the Honorable KERRY BENTIVOLIO 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 3, 2013, 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 each, but in no event shall debate continue beyond 1:50 p.m.

BENGHAZI INVESTIGATION

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

Mr. WOLF. Mr. Speaker, Deuteronomy 16:20 tells us:

Justice, justice shalt thou pursue.

As we quietly mark the 10-month anniversary of the Benghazi terrorist attacks last week, I know many people wondered if there will ever be any clear resolution to this investigation, let alone justice.

There are less than 3 weeks remaining before the Congress departs for the August recess. When we return in September, we will be only 2 days away from the 1-year anniversary of the Benghazi attacks. This looming anniversary should stand as a stark reminder of the many unanswered questions that remain about what actually happened that night and how the administration chose to respond or not respond to the Americans under assault during that 8-hour period.

That is why, over the next 3 weeks, I will be coming to the floor regularly to remind the American people about the key questions that remain to be answered. I will also be sending a series of letters to the State Department, the Defense Department, and the CIA formally requesting responses to some of these questions. While I am skeptical the administration will be forthcoming with answers, I do hope that these questions will underscore, for the Congress and the American people, the woefully incomplete status of the Benghazi investigation.

I have long been concerned that the current investigative strategy would not yield the necessary answers. That is why, for the last 8 months, I have advocated creating a bipartisan select committee to thoroughly investigate the Benghazi attacks. My bill, H. Res. 36, has 160 cosponsors, as well as the support of many family members of the Benghazi victims, the Special Operations community, and the Federal Law Enforcement Officers Association, which represent the Diplomatic Security agents who were at the consulate in Benghazi.

Perhaps the most telling sign of the incomplete state of the Benghazi investigation is the fact that not one of the survivors of the Benghazi attack from the consulate or the annex has publicly testified before Congress. Despite nearly a full year of multiple committee investigations, not one witness has been brought before a committee to publicly testify under oath about what happened that night.

Instead of learning the details of the attack and the U.S. response in public hearings, the American people may instead read about it in one of the books that have been announced in recent weeks. It is clear that the survivors from the consulate and the annex have worked with authors on two separate books that are scheduled to be published over the next year.

The first, ''Under Fire: The Untold Story of the Attack in Benghazi,'' describes in vivid, minute-by-minute detail the assault on the U.S. consulate, according to an excerpt that was published in Vanity Fair magazine this month. This excerpt contains important new information about the level of sophistication of the attack and how the terrorists apparently had detailed inside knowledge of the American consulate. It also noted that each of the terrorists' vehicles flew the ''black flag of jihad.'' The report makes clear this attack was the result of careful planning and intelligence-gathering by the terrorists, not some spontaneous attack on a target of opportunity.

A second, $3 million book deal, scheduled for publication in 2014, was announced last month with four unnamed U.S. security contractors who were based at the annex and responded to the attacks that night. I suspect, given the critical role played by the contractors in responding to the consulate attack and later in defending the annex, that these individuals have important information that deserves to be heard by the Congress and by the American people. I also wonder, Mr. Speaker, whether any of the $3 million they're earning from the book deal will be shared with Ty Woods' widow and child or the parents of Glen Doherty, who did so much to save our Americans.

I can't help but ask why the Congress has not asked—or subpoenaed—these individuals to testify before the House committees that have been investigating this over the past year. If

Printed on recycled paper.

these questions are not answered, the American people will never know what took place in Benghazi.

THE FARM BILL AND POLLINATORS

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

Mr. BLUMENAUER. Last week's farm bill debacle in the House of Representatives highlighted a fundamental disconnect. My friends in the Republican majority felt that nutrition for poor people was not a priority because they were concerned about increasing government dependence for lower-income Americans.

Yes, there are more people receiving SNAP, or what we used to call food stamp benefits, because that's how the system is supposed to work. After our Nation suffered a near collapse of the economy, and with a much larger population of over 313 million people, we would expect that, in the face of persistent unemployment and job loss, more people would be on food stamps. We want them to get this assistance. It helps those families and it helps the economy.

Yet, by the same action, my friends passed the most expensive farm bill provisions in our Nation's history. Just like the direct payment program, which gave 75 percent of the payments to 10 percent of all farmers, the new price targets and crop insurance programs manipulate the market, concentrate wealth in the hands of the few, and fail to implement any basic reforms such as means testing and payment limits. The irony was not lost on many who watched the price tag go up and the benefits be concentrated in the hands of those who need it the least.

The bill lacked meaningful reform. The long overdue elimination of direct payments was coupled with a lavish increase in a new entitlement, shallow loss provisions of crop insurance. It locked in the currently high commodity prices as a threshold going forward. There were additional direct payments for cotton and a refusal to reform egregious sugar provisions. Subsidies for wealthy farmers are supported over innovation, research, and conservation. The bill lavished support on those that needed it the least, while stripping out nutrition support through the SNAP program, because they didn't want to foster dependence, all while a blind eye was turned to abuses in the lavish crop insurance program where fraud is 50 percent higher than in the maligned SNAP, or food stamp program.

I am hopeful that if this bill goes on to conference, we'll be able to reduce the costs, provide adequate support by reinstituting nutrition programs, and address long overdue reform for crop insurance.

At the same time, there would be some provisions that could actually bring people together. For years, I've been working in areas of protecting the pollinators. There are 250,000 little species that pollinate our food and help create $200 billion worth of food crops worldwide. One in every three forks of foods that we eat is due to pollination, as well as the flowers we enjoy, fruits, chocolate, and even tequila. Many of these things depend on these humble workers. Yet we've watched real threats to the critical habitat for pollinators. I'm hopeful that we can add a simple, nonpartisan provision that will make a difference for these protections.

Neonicotinoids are insecticides which have been linked to large bee die-offs. In one instance, it happened to 50,000 bees in Oregon last week. These insecticides have been banned for 2 years in Europe. I'm hopeful that as the farm bill goes forward, we can address putting a temporary ban on their sale here in the United States, taking a deeper dive on the impact they have on pollinators and, indeed, on the entire food chain for this very persistent substance that has the potential of affecting the impact not just of the health of bees but of our families as well. I'm also hopeful that we'll have a farm bill that can include low- or no-cost provisions like pollinating protection to bring people together to strengthen agriculture. These are vital parts of nature and of our food chain.

In the past, the farm bill wasn't a partisan battlefield. If we can focus on providing help for people who need it the most, rather than lavish subsidies for people that need it the least, and focus on innovation, conservation, and, yes, pollinator protection, things like this can strengthen our food supply, save money, protect the environment, and maybe enable us to make some progress in an area so far that looks embarrassingly remote.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

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

Eternal God, we give You thanks for giving us another day.

We ask discernment for the Members of this people's House, that they might judge anew their adherence to principle, conviction, and commitment, lest they slide uncharitably toward an inability to listen to one another and work cooperatively to solve the important issues of our day.

Give them the generosity of heart, and the courage of true leadership, to work toward a common solution, which might call for compromise, even sacrifice on both sides. We pray that their work results not in solutions where some are winners and some losers, but where all Americans know in their hearts that we are winners.

May all that is done 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.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX 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. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Massachusetts (Mr. MARKEY), the whole number of the House is 434.

JOBS REPORT MISLEADING

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

Mr. WILSON of South Carolina. Mr. Speaker, according to Investor's Business Daily:

> From the media to Wall Street, June's jobs report is being spun as a major positive, a sign the economy is back on track. Maybe the pundits should look at the actual numbers, which are abysmal. At June's pace of 195,000 new jobs a month, it will take 11 months to get back to where we were in 2007. It's even worse when you consider all of the net addition to June jobs—repeat, all—were part time. The underemployment rate shot up from 13.8 to 14.3 percent. This isn't a solid jobs report. It's a crisis.

House Republicans have passed legislation to promote jobs. Building the Keystone pipeline alone can create nearly 200,000 jobs. In the Midlands of South Carolina, the earthmover tires made by Michelin Corporation are shipped to Alberta, Canada, for oil sand recovery. At 12 feet high and $60,000 for each tire, there are over 300 jobs in

Lexington, with another 300 persons building engines for Alberta at MTU in Graniteville of Aiken County.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Happy 40th birthday today, South Carolina Attorney General Alan Wilson.

THE OBAMACARE TRAIN WRECK

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

Mr. BOEHNER. Mr. Speaker, my colleagues, building a stronger economy for all Americans is our top priority here in the House. That's why we're working to simplify the Tax Code, expand energy production, and hold the administration accountable for abuses at agencies like the IRS. It's why, while Senate Democrats have done nothing, the House has passed a bipartisan plan to make college more affordable. And it's why we'll vote tomorrow to make sure that families and individuals get the same break from ObamaCare that the President wants for big businesses.

Over the weekend, the Democratic leader in the Senate said the President's health care law ''has been wonderful'' for our country. Are you kidding me? If ObamaCare is so wonderful, why are health care prices exploding? Why are millions of Americans getting kicked out of their plans? Why are so many workers losing their jobs or getting their hours cut?

The law isn't wonderful. It's a train wreck. You know it, I know it, and the American people know it. Even the President knows it. That's why he proposed delaying his mandate on employers.

But it's unfair to protect big businesses without giving the same relief to American families and small businesses. The bills by Congressman TIM GRIFFIN and TODD YOUNG will address this problem by delaying both the employer mandate and the individual mandate. I hope Democrats and Republicans alike will vote to do what's fair and protect all Americans from this disastrous law.

OBAMACARE

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

Ms. FOXX. Mr. Speaker, employers need more than a 1-year delay of ObamaCare's economic train wreck. The President's flawed legislation must be repealed in its entirety.

ObamaCare is already increasing health care costs, depressing hiring, and destroying full-time work. Waiting a year to implement some of its confusing, wrongheaded policies will not stop the damage or provide job creators with the certainty they need to figure out whether they can afford to keep their employees. That will come only when ObamaCare is replaced by competitive, patient-centered health care reforms.

The American people and the American economy deserve better than excuses for unworkable laws. They deserve health care policies that are transparent, responsive, and focused on them. This week, House Republicans will take action to protect every American—individuals, families, and those who manage or work with businesses—from the President's costly broken law. If the employer mandate is being delayed, so should the individual mandate. It's basic fairness. It's fairness for all.

WEST, TEXAS

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

Mr. FLORES. Mr. Speaker, tomorrow marks the 3-month anniversary of the fertilizer plant explosion in West, Texas. This catastrophic event injured hundreds, took 15 lives, and cost tens of millions of dollars in damage. Since that tragic day, the State of Texas and the entire community of West have been working tirelessly to rebuild and to recover.

FEMA originally denied Texas Governor Rick Perry's request for a major disaster declaration. Since then, the Governor has filed an appeal for the President to reconsider this decision. I am pleased to be joined by a substantial bipartisan majority of the Texas congressional delegation as we urge the President to support this appeal on behalf of the citizens of West and McLennan County.

It is our hope that the President honors the commitment he made on April 25—to help the citizens of West recover, rebuild, and reclaim their community. We must help ease the burdens this community continues to face through the recovery process.

Mr. Speaker, I ask that all Americans keep the community of West in their prayers. God bless America.

THE PRESIDENT'S HEALTH CARE MANDATE DELAYS

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

Mr. BURGESS. Mr. Speaker, some of the Affordable Care Act's oldest and strongest supporters are now coming out against the bill. Yesterday, the three largest unions in the country wrote a letter to Speaker PELOSI and Leader REID and said that the President's health care takeover would ''destroy the foundation of the 40-hour workweek that is the backbone of the American middle class.'' Their concern—my concern—is that the employer mandate will force small businesses to move their employees to part time in an effort to avoid additional expenses.

While I wish they had realized this before spending so much time and so much money on getting the law passed, at this point I couldn't agree with them more.

This week, it is very important that we pass the bills to delay the individual mandate and delay the employer mandate for a year. This will give us time to consider how to keep the Affordable Care Act from destroying our economy.

To quote the union's letter:

> Time is running out. We have a problem. You need to fix it. The unintended consequences of the Affordable Care Act are severe.

Further quoting:

> We can no longer stand silent in the face of the elements of the Affordable Care Act that will destroy the very health care and well-being of millions of hardworking Americans.

By passing these two bills this week, we will take an important step in minimizing the damage from the Affordable Care Act.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. BENTIVOLIO) laid before the House the following communication from the Clerk of the House of Representatives:

JULY 16, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 16, 2013 at 1:25 p.m.:

Appointments:
World War I Centennial Commission
With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 15, 2013.

Hon. JOHN BOEHNER,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 13101 of the Health Information Technology for Economic and Clinical Health (HITECH) Act (P.L. 111–5), I hereby reappoint Mr. Paul Egerman of Weston, Massachusetts to the HIT Policy Committee for a term of three years.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

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

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 5 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

SMALL AIRPLANE REVITALIZATION ACT OF 2013

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1848) to ensure that the Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1848

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 ''Small Airplane Revitalization Act of 2013''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) A healthy small aircraft industry is integral to economic growth and to maintaining an effective transportation infrastructure for communities and nations around the world.

(2) Small aircraft comprise nearly 90 percent of FAA type certified general aviation aircraft.

(3) General aviation provides for the cultivation of a workforce of engineers, manufacturing and maintenance professionals, and pilots, who secure the Nation's economic success and defense.

(4) General aviation contributes to well-paying manufacturing and technology jobs in the United States, and these products are exported in great numbers, providing a positive trade balance.

(5) Technology developed and proven in general aviation aids in the success and safety of all sectors of aviation and scientific competence.

(6) The average small airplane in the United States is now 40 years old and the regulatory barriers to bringing new designs to market are resulting in a lack of innovation and investment in small airplane design.

(7) Over the past decade, the United States has typically lost 10,000 active private pilots per year, partially due to a lack of cost-effective, new small airplanes.

(8) General aviation safety can be improved by modernizing and revamping the regulations for this sector to clear the path for technology adoption and cost-effective means to retrofit the existing fleet with new safety technologies.

SEC. 3. FAA SAFETY AND REGULATORY IMPROVEMENTS FOR GENERAL AVIATION.

(a) ESTABLISHMENT OF FAA SAFETY AND REGULATORY IMPROVEMENTS FOR GENERAL AVIATION.—The Administrator shall advance the safety and continued development of small airplanes by reorganizing the certification requirements applicable to small airplanes to streamline the approval of safety advancements.

(b) REGULATIONS.—The Administrator shall issue a final rule based on the FAA's Part 23 Reorganization Aviation Rulemaking Committee (established in August 2011) by December 31, 2015. The final rule shall meet the following objectives of the Part 23 Committee:

(1) Create a regulatory regime for small airplanes that will improve safety and decrease certification costs.

(2) Set broad, outcome-driven safety objectives that will spur innovation and technology adoption.

(3) Replace current, prescriptive requirements contained in FAA rules with performance-based regulations.

(4) Use FAA-accepted consensus standards to clarify how the part 23 safety objectives may be met by specific designs and technologies.

(c) CONSENSUS-BASED STANDARDS.—The Administrator shall use acceptable consensus-based standards whenever possible in the spirit of the National Technology Transfer and Advancement Act of 1996 (15 U.S.C. 3701 note), while continuing traditional methods for meeting part 23.

(d) SAFETY COOPERATION.—The Administrator shall lead the effort to improve general aviation safety by working with leading aviation regulators to assist them in adopting a complementary regulatory approach for small airplanes.

SEC. 4. DEFINITIONS.

In this Act, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(2) CONSENSUS STANDARDS.—The term ''consensus standards'' means standards developed by voluntary organizations which plan, develop, establish, or coordinate voluntary standards using agreed-upon procedures, both domestic and international. These standards include provisions requiring that owners of relevant intellectual property agree to make that intellectual property available on a nondiscriminatory, royalty-free or reasonable-royalty basis to all interested parties. These bodies have the attributes of openness, balance of interest, due process, an appeals process, and consensus.

(3) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(4) GENERAL AVIATION.—The term ''general aviation'' means all aviation activities other than scheduled commercial airline operations and military aviation.

(5) PART 23.—The term ''part 23'' means part 23 of title 14, Code of Federal Regulations.

(6) SMALL AIRPLANE.—The term ''small airplane'' means FAA type certificated airplanes that meet the parameters of part 23 of title 14, Code of Federal Regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentlewoman from Nevada (Ms. TITUS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. PETRI. 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 materials on H.R. 1848.

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

There was no objection.

Mr. PETRI. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1848, the Small Airplane Revitalization Act of 2013.

I'd like to commend my colleague, Congressman MIKE POMPEO, for introducing this bill, along with Congressmen DAN LIPINSKI, SAM GRAVES, RICHARD NOLAN, and TODD ROKITA.

I will insert into the RECORD a letter of support for H.R. 1848 from the Aircraft Owners and Pilots Association, Experimental Aircraft Association, General Aviation Manufacturers Association, National Air Transportation Association, and National Business Aviation Association, as well as a separate letter of support from the National Air Traffic Controllers Association.

Mr. Speaker, we're considering H.R. 1848 today because general aviation is vital to our country. The general aviation industry includes nearly 600,000 pilots, employs 1.3 million people, and contributes approximately $150 billion annually to the U.S. economy. In fact, the general aviation industry is one of the few remaining U.S. manufacturing industries that provide a trade surplus for the U.S., and it has a presence in every one of our 435 Congressional districts.

However, over the last several decades, the general aviation industry has experienced unique challenges, including a steady decline in new pilots, flight activity, and the sale of new aircraft. In part, these challenges are due to overly prescriptive and outdated certification processes, which greatly increase the costs of bringing new products to market and, ultimately, increase the costs for consumers.

The bill before us is intended to address these challenges by streamlining the certification process for small airplanes, making it more efficient and effective, while also protecting the important safety oversight function of the FAA.

The goal is to improve safety at a fraction of the cost. For example, the leading cause of fatalities in general aviation is due to ''loss of control.'' There are several existing technologies available to mitigate loss of control, such as an angle of attack indicator. However, in an FAA-certified airplane, the purchase and installation of this equipment is about $5,000; whereas, the exact same piece of equipment in a noncertified experimental airplane is about $800. So right now, the FAA's complicated and costly small airplane certification process provides a disincentive to certify new airplanes and safety equipment. This is just one example of how the Small Airplane Revitalization Act will improve safety at a fraction of the cost.

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

AOPA, EAA, GAMA, NATA, NBAA,

July 9, 2013.

DEAR MEMBERS OF THE HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: We write in support of the Small Aircraft Revitalization Act (H.R. 1848). We urge you

to support passage of the measure when it is marked up by the House Transportation and Infrastructure Committee on Wednesday, July 10, 2013.

H.R. 1848 directs the Federal Aviation Administration (FAA) to modernize and revamp the regulatory structure for small, certified aircraft—commonly referred to as Part 23 Aircraft—by December 31, 2015. This legislation will help industry and FAA develop and adopt more effective, consensus based compliance standards that will spur manufacturers' investment in new aircraft designs and help put critical lifesaving equipment into the existing fleet of airplanes. This will improve safety and also revitalize the lighter end of general aviation which has faced significant challenges in recent years.

H.R. 1848 is based on the recommendations of a recently completed FAA Aviation Rulemaking Committee (ARC). The ARC developed these recommendations over an eighteen month period with input from over 150 government and industry experts from around the world. The FAA and the general aviation community have identified implementation of these recommendations as key to improving general aviation safety.

H.R. 1848 has broad, bipartisan support and merits favorable consideration by members of the House Transportation and Infrastructure Committee. Thank you in advance for your consideration of the Small Aircraft Revitalization Act.

Sincerely,

Aircraft Owners and Pilots Association (AOPA), Experimental Aircraft Association (EAA), General Aviation Manufacturers Association (GAMA), National Air Transportation Association (NATA), National Business Aviation Association (NBAA).

NATIONAL AIR TRAFFIC CONTROLLERS ASSOCIATION (NATCA),
Washington, DC, July 9, 2013.

Good Afternoon.

NATCA supports H.R. 1848, the Small Aircraft Revitalization Act which is scheduled for mark up tomorrow by the House Transportation and Infrastructure Committee. H.R. 1848 is based on the recommendations of a recently completed Federal Aviation Administration (FAA) Aviation Rule-making Committee (ARC).

We support H.R. 1848 and thank you in advance for your consideration.

JOSE L. CEBALLOS,
Director, Government Affairs.

Ms. TITUS. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1848, the Small Airplane Revitalization Act of 2013. H.R. 1848 would require the Federal Aviation Administration to update its part 23 small airplane design regulations by December 31, 2015.

Last week, the Transportation and Infrastructure Committee ordered H.R. 1848 reported favorably to the House by a voice vote.

In June, an FAA-chartered Part 23 Aviation Rulemaking Committee, or ARC, submitted its comprehensive report with recommendations for rewriting and reorganizing part 23 to the agency. Representatives from the FAA, international regulatory agencies, aircraft manufacturers, general aviation pilot groups, and labor unions all participated in the ARC. Its work followed a 2009 FAA report on the Small Airplane Certification Process and fulfilled requirements in section 312 of the FAA reauthorization bill.

Mr. Speaker, prior to the Part 23 ARC, the agency's most recent comprehensive review of part 23 was almost 30 years ago, in 1984. Part 23 has not kept up with the times. These regulations are prescriptive in nature, often written to address out-of-date technologies. As a result, they are creating cost barriers for certifying new airplanes and retrofitting older aircraft with new safety-enhancing modifications. The need to improve the process for retrofitting older aircraft is particularly urgent, given the 40-year-old average age of the U.S. general aviation fleet. Small airplane manufacturers and part suppliers across the country are limited in their ability to innovate with new technology because of these outdated regulations. This bill will allow these manufacturers to innovate more quickly and bring more safety technology online.

H.R. 1848 will fast-track the Part 23 ARC's work by requiring the FAA to draft a new regulation that emphasizes performance-based safety objectives. These new regulations make the retrofit of new technology more straightforward and also remove barriers to bringing new, safer airplane designs to market. It will help small business, and I urge support.

I reserve the balance of my time.

Mr. PETRI. Mr. Speaker,I yield such time as he may consume to our colleague from the Fourth District of Kansas (Mr. POMPEO).

Mr. POMPEO. Mr. Speaker, I rise today in support of the general aviation industry and ask my fellow Members to support the Small Aircraft Revitalization Act. This commonsense, broadly bipartisan regulatory reform bill will spur economic growth, improve aviation safety, and help strengthen the health of the lighter, entry-level segment of the industry.

Mr. Speaker, there is no better reason to support this legislation than it saves lives and improves lives. Think about that. We can do both in one fell swoop.

Let's first talk about how the bill improves lives. I represent Wichita, Kansas. It is the Air Capital of the World. It is home to Cessna and Learjet and Beechcraft and dozens and dozens and dozens of suppliers to those great aviation businesses with such great aviation histories. It's the home of the National Institute for Aviation Research and the National Center for Aviation Training.

There are engineers, machinists, researchers, flight instructors, fixed base operators, among others, that all depend on a healthy general aviation industry. And then there are the operators in the industry and general aviation. This vital productivity tool for both small and large companies is critically important.

Sixteen years ago, I joined the Kansas general aviation industry, building a business with three of my colleagues, founding a company called Thayer Aerospace, a machine shop in Wichita, Kansas. We made parts for the thriving aircraft industry, but the downturn in 2008 was a tremendous blow to Wichita, in particular, and general aviation, more generally. We experienced thousands and thousands of layoffs and dramatic downsizing all across the region. The downturn exacerbated the unique challenges that the lighter, entry-level segment of general aviation had been experiencing over the past several decades.

Today, the average general aviation airplane is 40 years old. That means most of the new aircraft were built in the 1960s and 1970s, with designs of that same vintage. Current general aviation production represents less than 2 percent of the existing fleet.

We've had an over 10,000-person-per-year decline in active private pilots over this last decade. The steady decline in new pilots, flight activity, and the sales of new small general aviation airplanes that result from that are indicators of significant problems in the industry.

To tackle this problem, this bill, the Small Aircraft Revitalization Act, requires the FAA to implement the FAA's part 23 certification process and modernize it no later than 2015. The FAA Part 23 Reorganization Aviation Rulemaking Committee (ARC), composed of aviation authorities and industry representatives from around the world, has worked over the last 18 months to create a regulatory environment that will contribute to revitalizing the health and safety of new and existing airplanes.

These changes will remove lots and lots of barriers and it will improve lives. Let me tell you how it will save lives.

The gentleman from Wisconsin talked about safety and innovation being retarded by the absence of a streamlined regulatory process. He spoke of this example of ''loss of control.'' That creates more than three times the cause of aviation accidents than any other single cause.

Since the dawn of aviation, we've taught pilots how to avoid that; but because they remain a significant safety problem, there's tremendous interest in technology and interventions to resolve it. And yet today's part 23 makes that more difficult. By putting these technologies into the new and existing fleet, it's widely believed that the safety of light general aviation aircraft could see dramatic improvements.

We need to cut this red tape. It will create savings for sure, but, more importantly, it will save lives. This is a commonsense and important reform.

America's general aviation industry is not asking for a single handout, not one subsidy. It's simply asking for a streamlined set of regulations that will permit them to get their airplanes, their designs to market more quickly, and still doing so safely.

I want to thank Chairman SHUSTER and Chairman LOBIONDO for their support, and my original cosponsors, Mr.

NOLAN, Mr. LIPINSKI, Mr. GRAVES of Missouri, and Mr. ROKITA, and all the folks of the Transportation and Infrastructure Committee on both sides of the aisle that have allowed this bill to get this far and make it to the floor.

I urge support of all of my colleagues this evening and hope we'll have a unanimous vote on behalf of this bill.

Ms. TITUS. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. NOLAN).

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

Mr. NOLAN. Mr. Speaker, first I'd like to thank Representative POMPEO for sponsoring this important legislation. And of course, thanks to our Chairman SHUSTER and Ranking Member RAHALL and to both my Democratic and Republican colleagues on the committee for bringing this Small Aircraft Revitalization Act to the floor of the Congress in such an expeditious and bipartisan manner.

Mr. Speaker, by streamlining and modernizing the rules and regulations that govern our small aircraft industry, we'll be encouraging the investment necessary to generate thousands of new American jobs.

□ 1715

What this legislation does, in effect, is put together a regulatory regime that will be specifically tailored for the small aircraft industry that will allow the industry to develop performance and outcome-based ways of achieving important safety standards. It allows them to put together consensus regulations that are developed by industry, government regulators, and private nonprofit associations, and enables the industry to unleash technologies of the future, creating jobs.

I'm so proud of Cirrus Aircraft in my district in Duluth, Minnesota. They've developed a parachute that is attached to the airplane and, like a skydiver, if the airplane stalls in the sky, you can pull a ripcord and parachute the plane down to safety.

These are the kinds of technologies that have the potential to be released through this legislation. What it does, in short, is enable the designers, engineers, manufacturers, creators, and skilled workers to release all their brilliance, creating the best, safest airplane technologies going forward into the future.

So I applaud the committee and my colleagues in Congress for bringing this forward in such an expeditious manner, and I strongly urge all my colleagues to support this important piece of legislation.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to the gentleman from the 25th District of Texas, Representative ROGER WILLIAMS.

Mr. WILLIAMS. Mr. Speaker, the general aviation industry is a vital part of the economy in Texas' 25th District. Between the Dallas/Fort Worth International Airport and Austin-Bergstrom Airport, there are dozens of smaller regional airports.

Passing H.R. 1848 is not only important to those in general aviation, it is vital. As my colleagues have mentioned, this industry includes nearly 600,000 pilots, employs 1.3 million people, and contributes approximately $150 billion annually to the U.S. economy. But because the current regulations are overly strict and dated, our economy and workforce is struggling.

General aviation fosters a robust workforce of engineers, manufacturers, maintenance professionals, and pilots, and it is within the FAA's power to ensure the success and sustainability of this important industry. They can do this by modernizing the regulatory requirements to improve safety, decrease cost, and set new standards for compliance in testing, just as H.R. 1848 requires.

Mr. Speaker, I'm a small businessman. I can tell you this is good for jobs, it's good for the economy, and, most importantly, it's good for America.

Ms. TITUS. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW of Georgia. I thank the gentlelady for yielding me the time.

Mr. Speaker, I rise today in support of H.R. 1848, the Small Airplane Revitalization Act of 2013. This bill improves safety, lowers costs, and stimulates private sector innovation, all while cutting red tape.

We need to do everything we can to keep our economy growing. For the last year and a half, representatives from the Federal Aviation Administration and the aviation industry have worked together to make recommendations for regulations that will keep us safe in the sky and grow our economy back on the ground. This bill adopts those recommendations.

I'm proud to stand with the bipartisan group of Congressmen who have helped bring this bill to the floor today, including Mr. POMPEO, Mr. LIPINSKI, Mr. ROKITA, Mr. NOLAN, and my cochair of the General Aviation Task Force, Mr. GRAVES. This bill follows in the tradition of the General Aviation Caucus in the House to work together in a bipartisan fashion. That's the way things should be done around here, and this bill is proof that good things can happen when Republicans and Democrats work together.

I encourage all my colleagues to support this legislation.

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

Mr. PETRI. Mr. Speaker, in closing, I would like to reiterate that this bill is about good government, about creating a regulatory environment that improves safety at a fraction of the cost, and ultimately about helping to revitalize an American industry.

I strongly urge all of my colleagues to support this bill, and I yield back the balance of my time.

Mr. RADEL. Mr. Speaker, thank you for the opportunity to speak on this important legislation that will get the FAA out of the way for small aircraft owners and manufactures.

In my home state of Florida, general aviation is a booming industry. We have 130 public-use airports, nearly 52,000 pilots, and more than 25,000 general aviation aircraft. Southwest Florida, my home, is an especially popular area for small aircraft. Anyone flying into the Fort Myers airport, over the beautiful beaches and the big blue Gulf—can appreciate why so many retired Air Force and airline pilots move to Florida and continue to take to the skies.

Unfortunately, the burdens placed on small aircraft manufacturers and owners stop them from enjoying flying. When government bureaucrats become more focused on their own job security than the safety of pilots, it is time for a change. This important legislation will save pilots money and time while ensuring safety in our skies and it deserves your support.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill, H.R. 1848, 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.

Mr. POMPEO. 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.

DOUGLAS A. MUNRO COAST GUARD HEADQUARTERS BUILDING

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2611) to designate the headquarters building of the Coast Guard on the campus located at 2701 Martin Luther King, Jr., Avenue Southeast in the District of Columbia as the ''Douglas A. Munro Coast Guard Headquarters Building'', and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2611

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The headquarters building of the Coast Guard on the campus located at 2701 Martin Luther King, Jr., Avenue Southeast in the District of Columbia shall be known and designated as the ''Douglas A. Munro Coast Guard Headquarters Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the ''Douglas A. Munro Coast Guard Headquarters Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Wisconsin (Mr. PETRI) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. PETRI. 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 H.R. 2611.

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

There was no objection.

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

Mr. Speaker, the bill before us, H.R. 2611, would designate the United States Coast Guard headquarters in Washington, D.C., as the Douglas A. Munro Coast Guard Headquarters Building.

Douglas Munro was born in Vancouver, Canada, of American parents on October 11, 1919, and grew up in Washington State. He attended the Central Washington College of Education for a year and left to enlist in the United States Coast Guard in 1939. He served the country during World War II, rising to the rank of signalman first class.

Douglas Munro was killed in action at Guadalcanal on September 27, 1942, shielding 500 United States marines from enemy fire during an evacuation. He volunteered to head the boats for the evacuation, and he placed himself and his boats as cover for the last marine to leave. During this time, Douglas Munro was fatally wounded. Reportedly, he remained conscious long enough to say four words: ''Did they get off?''

Douglas Munro was awarded the Medal of Honor and the Purple Heart. The bravery and sacrifice of Douglas Munro saved hundreds of marines, and he should be honored and remembered. I think it's appropriate to ensure that he will always be remembered by naming the United States Coast Guard headquarters in his honor.

Therefore, I support the passage of this legislation, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I thank the gentleman for his remarks.

The timing on this bill could not be more appropriate. Later this month, we will cut the ribbon for the new Coast Guard building, the first building the Coast Guard has ever owned.

Next month, Coast Guard employees will begin moving into the building located on the old Saint Elizabeths Hospital campus in southeast Washington, D.C. It is only fitting that the Coast Guard should be moving into a building named for one of their own, Signalman First Class Douglas Albert Munro. Signalman First Class Munro is the U.S. Coast Guard's only Medal of Honor recipient. The Coast Guard specifically requested that I write this bill in time for the opening of the Coast Guard headquarters.

I want to express my appreciation to my good friends on the other side for promptly passing this bill in committee last week and then seeing to it that it got to the floor this week.

Munro died heroically on Point Cruz, Guadalcanal, after succeeding in his volunteer assignment to evacuate a detachment of marines that had been overwhelmed by the enemy. Signalman First Class Munro had an outstanding record as an enlisted man and was promoted rapidly through the various ratings to a signalman first class. In addition to being a Medal of Honor recipient, Signalman First Class Munro was also posthumously awarded the Purple Heart Medal and was eligible for the American Defense Service Medal, the Asiatic-Pacific Area Campaign Medal, and the World War II Victory Medal. He, indeed, was a hero.

Signalman First Class Munro is an excellent example of the commitment to service and bravery that our men and women of the Coast Guard still provide today, much of it here at home. It is an honor to be the lead sponsor of this bill to name the building in honor of a true American hero.

The new Coast Guard headquarters building that would be named for Signalman First Class Douglas A. Munro will be a 1.1-million-square-foot building and will house up to 3,700 members of the U.S. Coast Guard and civilian employees. This building, which will be the first office building completed for the Department of Homeland Security headquarters consolidation, will mark the first time that a Federal agency will be located east of the Anacostia River.

I believe Signalman First Class Douglas A. Munro's outstanding service to his country and his unique status as the only member of the U.S. Coast Guard to win the Medal of Honor ensures that it is particularly fitting to name the new U.S. Coast Guard headquarters the Douglas A. Munro Coast Guard Headquarters Building.

I urge my colleagues to support this measure, and I want to say in closing, Mr. Speaker, that we honor Signalman First Class Munro by naming a first class, extraordinary, state-of-the-art building after him. But in honoring Signalman First Class Munro, I think we also honor members of the Coast Guard. These are, to coin a cliche, real unsung heroes in our society. They are the men and women who save men and women and children every year right here in our country as part of their duties here. In a real sense, when we name this building for the only Medal of Honor winner, I think it will make Americans understand there are many heroes of the Coast Guard who also serve them every day of every year.

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

Mr. PETRI. Mr. Speaker, I urge my colleagues to join me in supporting this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill, H.R. 2611.

The question was taken.

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

Mr. PETRI. 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.

AVAILABILITY OF PIPELINE SAFETY REGULATORY DOCUMENTS

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2576) to amend title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2576

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AVAILABILITY OF PIPELINE SAFETY REGULATORY DOCUMENTS.

Section 60102(p) of title 49, United States Code, is amended—

(1) by striking ''1 year'' and inserting ''3 years'';

(2) by striking ''guidance or''; and

(3) by striking '', on an Internet Web site''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentlewoman from Nevada (Ms. TITUS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

□ 1730

GENERAL LEAVE

Mr. PETRI. 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 materials on H.R. 2576.

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

There was no objection.

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

Mr. Speaker, I rise in support of the bill before us, H.R. 2576. This bill is a correction of an unintended consequence of the bipartisan Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011. It is sponsored by Chairman DENHAM of the Subcommittee on Railroads, Pipelines, and Hazardous Materials, along with full committee Chairman SHUSTER, Ranking Member RAHALL, and subcommittee Ranking Member BROWN.

Last Congress, section 24 of the Pipeline Safety Act included a good-faith provision intended to make the pipeline safety regulations and guidance of the Pipeline and Hazardous Materials

Safety Administration, or PHMSA, more transparent. It did so by requiring any document or portion thereof incorporated by reference into the new regulations and guidance of PHMSA to be made available free of charge on the Internet. In so doing, however, an unintended consequence of this language was created that, contrary to the intent of Congress, has adversely impacted the ability of PHMSA to move forward with its regulatory agenda by placing practical barriers on PHMSA's ability to rely on the state-of-the-art technical standards written by standards developing organizations, referred to as SDOs. This bill simply corrects this unintended outcome and preserves the intellectual property rights of these organizations while still meeting the goals of a transparent government with free access to standards for noncommercial purposes.

Specifically, the bill allows for standards to be made free of charge but strikes ''on an Internet Web site,'' which allows PHMSA and SDOs more leeway to comply with the law. It also gives industry and PHMSA extra time to comply by making it effective 3 years from enactment instead of 1 year.

Finally, the bill limits the applicability of the provision to only pipeline safety organizations. I believe that this bipartisan technical correction will provide PHMSA with the flexibility needed to continue to fully leverage its partnership with standards developing organizations and save the government money by not requiring PHMSA to develop its own technical standards for rulemaking.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, July 11, 2013.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: I write concerning H.R. 2576, a bill to amend title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents, and for other purposes, which was ordered to be reported out of your Committee on July 10, 2013. I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 2576 so that it may proceed expeditiously to the House floor for consideration.

This is being done with the understanding that the Committee on Energy and Commerce is not waiving any of its jurisdiction, and the Committee will not in any way be prejudiced with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding, and ask at a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of H.R. 2576 on the House floor.

Sincerely,

FRED UPTON,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, July 11, 2013.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R 2576, a bill to amend title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents, and for other purposes, which was ordered to be reported out of the Committee on Transportation and Infrastructure on July 10, 2013. I appreciate your willingness to support expediting floor consideration of this legislation.

I acknowledge that by forgoing action on this legislation, the Committee on Energy and Commerce is not waiving any of its jurisdiction and will not in any way be prejudiced with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I appreciate your cooperation regarding this legislation and I will include our letters on H. R. 2576 in the Congressional Record during floor consideration of this bill.

Sincerely,

BILL SHUSTER,
Chairman.

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

On January 3, 2012, President Obama signed into law the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011. Section 24 of that act states that, effective January 3, 2013, the Secretary of Transportation may not issue ''guidance or a regulation that incorporates by reference any documents or portions thereof unless the documents or portions thereof are made available to the public free of charge or on an Internet Web site.''

Then, in the last Congress, the Subcommittee on Railroads, Pipelines, and Hazardous Materials held a number of hearings on pipeline safety, one of which highlighted a current regulation that required pipeline operators to develop and implement public education and awareness programs. The regulation did not explain what should be contained in the education programs, however. Instead, it pointed readers to an industry-developed standard. But in order to read the standard, you had to pay the drafters more than $1,000. If you're a small community, $1,000 is a lot of money for access to just one of many pipeline safety standards.

I and many of my colleagues have concerns about the Federal Government issuing a regulation that requires whoever wants to read it—particularly local communities, first responders, and private citizens—to have to purchase it from a private association. Fortunately, the 2011 act resolved this situation.

Following enactment of section 24, DOT held a public workshop and Webcast with more than 70 industry, safety, and government representatives present to discuss options for implementing the new law. Nearly 200 other entities participated in the Webcast. Additional comments were provided through the Federal Register notice, including by the Small Business Administration, which noted many concerns of small businesses with the continued use of incorporation by reference.

Since the workshop, several standards development organizations have agreed in writing to electronically post on the Internet all of the consensus standards that the Pipeline and Hazardous Materials Safety Administration incorporates by reference into the Federal pipeline safety regulations. Those include ASTM International, the Manufacturers Standardization Society, the Gas Technology Institute, NACE International, the National Fire Protection Association, the American Petroleum Institute, the American Gas Association. I will include their letters in the CONGRESSIONAL RECORD.

I also will insert letters from the Pipeline Safety Trust, Dakota Rural Action, and Columbia law professor Peter Strauss expressing the need for public availability of the standards in the RECORD.

Unfortunately, some organizations have expressed concerns about posting their standards on the Internet. This has in turn held up progress of several important safety rulemakings that were mandated in the 2011 pipeline law. So in the spirit of bipartisanship, and not wanting to hold up the rulemaking process, I believe the law should be modified to provide DOT with additional time to implement it and with additional flexibility to determine how best to make the standards widely available to the public. I believe that, even with these changes that are in the law, the law will continue to address the transparency and openness concerns of the safety community.

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

U.S. DEPARTMENT OF TRANSPORTATION, PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION,
Washington, DC, March 4, 2013.

Re incorporation by reference of voluntary consensus standards for pipeline safety regulations.

Mr. JAMES THOMAS,
President, ASTM International,
West Conshocken, PA.

DEAR MR. THOMAS: As you know, the practice of incorporating voluntary consensus standards allows pipeline operators to use the most current industry technologies, materials, and management practices available on today's market. New or updated standards often further innovation and increase the use of new technologies that improve the safety and operations of pipelines and pipeline facilities.

On January 3, 2012, President Obama signed into law the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112–90) (the Act). Section 24 of the Act states that, effective January 3, 2013, PHMSA may not issue ''guidance or a regulation that incorporates by reference any documents or portions thereof unless the documents or portions thereof are made available to the public, free of charge, on an Internet Web site.''

In support of Section 24 of the Act, we thank ASTM International (ASTM) for agreeing to electronically post on the Internet all ASTM consensus standards that PHMSA incorporates by reference into the

federal pipeline safety regulations after January 3, 2013. It has also agreed to post on the Internet any updated, revised, or new ASTM consensus standards that PHMSA proposes during rulemaking to incorporate by reference. While ASTM has discretion in how they accomplish this objective, it has agreed that, at a minimum, these voluntary consensus standards will be: Electronically posted on an Internet Web site; Available to the public; and Free of charge.

ASTM has agreed to notify PHMSA immediately if it is no longer able or capable of meeting the above minimum posting requirements. We request that you also notify us if any standards are removed from your electronic archives, if you have such an archives. The voluntary consensus standards developed by ASTM play a critical role in safeguarding pipeline safety, and PHMSA is tremendously appreciative of the constructive role ASTM is playing in ensuring their continued use in the federal pipeline safety regulations.

After you review the terms of this agreement, please sign below and return a copy to PHMSA. If you have questions, please contact Mike Israni at 202–366–4571.

Sincerely,

JEFFREY D. WIESE,
Associate Administrator for Pipeline Safety.

U.S. DEPARTMENT OF TRANSPORTATION, PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION,
Washington, DC, March 4, 2013.

Re incorporation by reference of voluntary consensus standards for pipeline safety regulations.

Mr. ROBERT O'NEILL,
Executive Director, Manufacturers Standardization society,
Vienna, VA.

DEAR MR. O'NEILL: As you know, the practice of incorporating voluntary consensus standards allows pipeline operators to use the most current industry technologies, materials, and management practices available on today's market. New or updated standards often further innovation and increase the use of new technologies that improve the safety and operations of pipelines and pipeline facilities.

On January 3, 2012, President Obama signed into law the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112–90) (the Act). Section 24 of the Act states that, effective January 3, 2013, PHMSA may not issue ''guidance or a regulation that incorporates by reference any documents or portions thereof unless the documents or portions thereof are made available to the public, free of charge, on an Internet Web site.''

In support of Section 24 of the Act, we thank the Manufacturers Standardization Society (MSS) for agreeing to electronically post on the Internet all MSS consensus standards that PHMSA incorporates by reference into the federal pipeline safety regulations after January 3, 2013. It has also agreed to post on the Internet any updated, revised, or new MSS consensus standards that PHMSA proposes during rulemaking to incorporate by reference. While MSS has discretion in how they accomplish this objective, it has agreed that, at a minimum, these voluntary consensus standards will be: Electronically posted on an Internet Web site; Available to the public; and Free of charge.

MSS has agreed to notify PHMSA immediately if it is no longer able or capable of meeting the above minimum posting requirements. We request that you also notify us if any standards are removed from your electronic archives, if you have such an archives. The voluntary consensus standards developed by MSS play a critical role in safeguarding pipeline safety, and PHMSA is tremendously appreciative of the constructive role MSS is playing in ensuring their continued use in the federal pipeline safety regulations.

After you review the terms of this agreement, please sign below and return a copy to PHMSA. If you have questions, please contact Mike Israni at 202–366–4571.

Sincerely,

JEFFREY D. WIESE ,
Associate Administrator for Pipeline Safety.

U.S. DEPARTMENT OF TRANSPORTATION, PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION,
Washington, DC, March 4, 2013.

Re incorporation by reference of voluntary consensus standards for pipeline safety regulations.

Mr. EDDIE JOHNSTON,
Managing Director, Gas Technology Institute,
Des Plaines, IL.

DEAR MR. JOHNSTON: As you know, the practice of incorporating voluntary consensus standards allows pipeline operators to use the most current industry technologies, materials, and management practices available on today's market. New or updated standards often further innovation and increase the use of new technologies that improve the safety and operations of pipelines and pipeline facilities.

On January 3, 2012, President Obama signed into law the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112–90) (the Act). Section 24 of the Act states that, effective January 3, 2013, PHMSA may not issue ''guidance or a regulation that incorporates by reference any documents or portions thereof unless the documents or portions thereof are made available to the public, free of charge, on an Internet Web site.''

In support of Section 24 of the Act, we thank the Gas Technology Institute (GT1) for agreeing to electronically post on the Internet all GTI consensus standards that PHMSA incorporates by reference into the federal pipeline safety regulations after January 3, 2013. It has also agreed to post on the Internet any updated, revised, or new GTI consensus standards that PHMSA proposes during rulemaking to incorporate by reference. While GTI has discretion in how they accomplish this objective, it has agreed that, at a minimum, these voluntary consensus standards will be: Electronically posted on an Internet Web site; Available to the public; and Free of charge.

GTI has agreed to notify PHMSA immediately if it is no longer able or capable of meeting the above minimum posting requirements. We request that you also notify us if any standards are removed from your electronic archives, if you have such an archives. The voluntary consensus standards developed by GTI play a critical role in safeguarding pipeline safety, and PHMSA is tremendously appreciative of the constructive role GTI is playing in ensuring their continued use in the federal pipeline safety regulations.

After you review the terms of this agreement, please sign below and return a copy to PHMSA. If you have questions, please contact Mike Israni at 202–366–4571.

Sincerely,

JEFFREY D. WIESE,
Associate Administrator for Pipeline Safety.

U.S. DEPARTMENT OF TRANSPORTATION, PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION,
Washington, DC, March 4, 2013.

Re incorporation by reference of voluntary consensus standards for pipeline safety regulations.

Ms. HELENA SEELINGER,
Senior Director, NACE International,
Houston, TX.

DEAR MS. SEELINGER: As you know, the practice of incorporating voluntary consensus standards allows pipeline operators to use the most current industry technologies, materials, and management practices available on today's market. New or updated standards often further innovation and increase the use of new technologies that improve the safety and operations of pipelines and pipeline facilities.

On January 3, 2012, President Obama signed into law the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112–90) (the Act). Section 24 of the Act states that, effective January 3, 2013, PHMSA may not issue ''guidance or a regulation that incorporates by reference any documents or portions thereof unless the documents or portions thereof are made available to the public, free of charge, on an Internet Web site.''

In support of Section 24 of the Act, we thank NACE International (NACE) for agreeing to electronically post on the Internet all NACE consensus standards that PHMSA incorporates by reference into the federal pipeline safety regulations after January 3, 2013. It has also agreed to post on the Internet any updated, revised, or new NACE consensus standards that PHMSA proposes during rulemaking to incorporate by reference. While NACE has discretion in how they accomplish this objective, it has agreed that, at a minimum, these voluntary consensus standards will be: Electronically posted on an Internet Web site; Available to the public; and Free of charge.

NACE has agreed to notify PHMSA immediately if it is no longer able or capable of meeting the above minimum posting requirements. We request that you also notify us if any standards are removed from your electronic archives, if you have such an archives. The voluntary consensus standards developed by NACE play a critical role in safeguarding pipeline safety, and PHMSA is tremendously appreciative of the constructive role NACE is playing in ensuring their continued use in the federal pipeline safety regulations.

After you review the terms of this agreement, please sign below and return a copy to PHMSA. If you have questions, please contact Mike Israni at 202–366–4571.

Sincerely,

JEFFREY D. WEISE,
Associate Administrator for Pipeline Safety.

NACE INTERNATIONAL,
THE CORROSION SOCIETY,
Houston, TX, March 13, 2013.

Mr. JEFFREY D. WIESE,
Associate Administrator for Pipeline Safety, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Washington, DC.

DEAR JEFF: Thank you for your letter received on March 4, 2013, seeking agreement by NACE International on action to be taken in concurrence with the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (PL. 112–90), Section 24.

NACE International agrees with the action requested in the letter, with a proviso that PHMSA will notify NACE International prior to issuing proposed rulemaking that

references NACE standards. This proviso is made in response to the statement that NACE ''. . . has also agreed to post on the Internet any updated, revised, or new NACE consensus standards that PHMSA proposes during rulemaking . . .'' NACE has many standards available to NACE members, but publicly posts only standards that are referenced by PHMSA. To ensure that NACE proactively posts the NACE standards covered in our agreement, NACE personnel would need to know of their IBR status from PHMSA.

Jeff, thank you for your service to pipeline safety.

Kind regards,

HELENA SEELINGER,
Sr. Director, Membership Services, Public Affairs, & Standards.

U.S. DEPARTMENT OF TRANSPORTATION, PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION,
Washington, DC, March 4, 2013.

Re incorporation by reference of voluntary consensus standards for pipeline safety regulations.

Mr. JAMES SHANNON,
President, National Fire Protection Association, Quincy, MA.

DEAR MR. SHANNON: As you know, the practice of incorporating voluntary consensus standards allows pipeline operators to use the most current industry technologies, materials, and management practices available on today's market. New or updated standards often further innovation and increase the use of new technologies that improve the safety and operations of pipelines and pipeline facilities.

On January 3, 2012, President Obama signed into law the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112–90) (the Act). Section 24 of the Act states that, effective January 3, 2013, PHMSA may not issue ''guidance or a regulation that incorporates by reference any documents or portions thereof unless the documents or portions thereof are made available to the public, free of charge, on an Internet Web site.''

In support of Section 24 of the Act, we thank the National Fire Protection Association (NFPA) for agreeing to electronically post on the Internet all NFPA consensus standards that PHMSA incorporates by reference into the federal pipeline safety regulations after January 3, 2013. It has also agreed to post on the Internet any updated, revised, or new NFPA consensus standards that PHMSA proposes during rulemaking to incorporate by reference. While NFPA has discretion in how they accomplish this objective, it has agreed that, at a minimum, these voluntary consensus standards will be: Electronically posted on an Internet Web site; Available to the public; and Free of charge.

NFPA has agreed to notify PHMSA immediately if it is no longer able or capable of meeting the above minimum posting requirements. We request that you also notify us if any standards are removed from your electronic archives, if you have such an archives. The voluntary consensus standards developed by NFPA play a critical role in safeguarding pipeline safety, and PHMSA is tremendously appreciative of the constructive role NFPA is playing in ensuring their continued use in the federal pipeline safety regulations.

After you review the terms of this agreement, please sign below and return a copy to PHMSA. If you have questions, please contact Mike Israni at 202–366–4571.

Sincerely,

JEFFREY D. WIESE,
Associate Administrator for Pipeline Safety.

ENERGY API,
STANDARDS DEPARTMENT,
Washington, DC, May 1, 2013.

Re incorporation by reference of voluntary consensus standards for pipeline safety regulations.

Mr. JEFFREY D. WIESE,
Associate Administrator for Pipeline Safety, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Washington, DC.

DEAR MR. WIESE: Thank you for your March 4, 2013 letter regarding incorporation by reference of voluntary consensus standards for pipeline safety regulations. As you know, API made the decision in the fall of 2010, well before the passage of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, to place all of API's Government-cited and safety-standards on API's website for free public viewing. This site can be found at http://www.api.org/publications. It is our understanding that this action fully meets the intent of the Act.

It is API's policy to maintain this website and to include on this website any API consensus standards that PHMSA proposes during formal rulemaking to incorporate by reference into Federal regulations, to ensure that all users of the website have access to API's most up to date best industry practices.

Again, thank you for your letter of March 4, 2013, and please let me know if you have any further questions.

Sincerely,

DAVID MILLER.
Director, Standards.

U.S. DEPARTMENT OF TRANSPORTATION, PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION,
Washington, DC, March 4, 2013.

Re incorporation by reference of voluntary consensus standards for pipeline safety regulations.

Ms. CHRISTINA SAMES,
Vice President, Operations and Engineering, American Gas Association, Washington, DC.

DEAR MS. SAMES: As you know, the practice of incorporating voluntary consensus standards allows pipeline operators to use the most current industry technologies, materials, and management practices available on today's market. New or updated standards often further innovation and increase the use of new technologies that improve the safety and operations of pipelines and pipeline facilities.

On January 3, 2012, President Obama signed into law the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112–90) (the Act). Section 24 of the Act states that, effective January 3, 2013, PHMSA may not issue ''guidance or a regulation that incorporates by reference any documents or portions thereof unless the documents or portions thereof are made available to the public, free of charge, on an Internet Web site.''

In support of Section 24 of the Act, we thank the American Gas Association (AGA) for agreeing to electronically post on the Internet all AGA consensus standards that PHMSA incorporates by reference into the federal pipeline safety regulations after January 3, 2013. It has also agreed to post on the Internet any updated, revised, or new AGA consensus standards that PHMSA proposes during rulemaking to incorporate by reference. While AGA has discretion in how they accomplish this objective, it has agreed that, at a minimum, these voluntary consensus standards will be: Electronically posted on an Internet Web site; Available to the public; and Free of charge.

AGA has agreed to notify PHMSA immediately if it is no longer able or capable of meeting the above minimum posting requirements. We request that you also notify us if any standards are removed from your electronic archives, if you have such an archives. The voluntary consensus standards developed by AGA play a critical role in safeguarding pipeline safety, and PHMSA is tremendously appreciative of the constructive role AGA is playing in ensuring their continued use in the federal pipeline safety regulations.

After you review the terms of this agreement, please sign below and return a copy to PliMSA. If you have questions, please contact Mike Israni at 202–366–4571.

Sincerely,

JEFFREY D. WIESE,
Associate Administrator for Pipeline Safety.

Mr. PETRI. Mr. Speaker, I urge my colleagues to join me in supporting this legislation, and I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 2576.

This bill represents a commonsense technical fix to section 24 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011.

The changes made by H.R. 2576 will provide the Department of Transportation's Pipeline and Hazardous Materials Safety Administration with the flexibility necessary to find a balanced solution between the use of standards incorporated by reference in its safety regulations and the need to increase transparency and access to those standards.

The National Technology Transfer and Advancement Act of 1995 requires federal agencies to use voluntary consensus standards developed by the private sector as part of any federal regulation rather than allow the agencies to create their own government specific standards.

This law created a foundation for a public-private partnership that has been tremendously beneficial. It has saved the federal government money by drawing on the vast technical expertise of the private sector and by creating ''buy-in'' from the parties who will ultimately be regulated—increasing compliance and lessening the cost of enforcement.

While this partnership is extremely valuable and should not be weakened in anyway, it is also important that the public have access to these standards, especially if they are going make their way into a regulation.

I believe there is a middle ground to be found here. In fact, the Administrative Conference of the United States offers a number of recommendations that federal agencies should consider.

One such recommendation is that federal agencies should work with standards development organizations to make their copyrighted materials reasonably available to interested parties during the rulemaking process. This could be accomplished by posting a read-only copy of the standard online for a limited period of time.

The bottom line is DOT needs to find a path forward so that the safety of the nation's pipelines is not eroded and the most up-to-date standards are utilized. H.R. 2576 provides DOT with the flexibility to find that path. I urge my colleagues to support HR. 2576.

Ms. BROWN of Florida. Mr. Speaker, when I was Chair of the Subcommittee on Railroads, Pipelines and Hazardous Materials, I held a number of hearings on pipeline safety, one of which highlighted an American Petroleum Institute-developed (API) standard which was incorporated by reference in a pipeline education and awareness regulation. But in order to comprehend the regulation, interested parties had to obtain the API standard, which cost more than $1,000. One thousand dollars is a lot of money, particularly for small communities, local emergency responders, and pipeline safety advocates, for just one of the many pipeline safety standards referenced in regulations issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA).

Fortunately, Congress resolved the situation in the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011. Section 24 of the Act prohibited the Secretary of Transportation, effective January 3, 2013, from issuing "guidance or a regulation that incorporates by reference any documents or portions thereof unless the documents or portions thereof are made available to the public, free of charge, on an Internet Web site."

Since enactment of the legislation, all but one organization has agreed in writing to electronically post on the Internet all of their consensus standards that PHMSA incorporates by reference into the federal pipeline safety regulations, including:

ASTM International; The Manufacturers Standardization Society; The Gas Technology Institute; NACE International; The National Fire Protection Association; The American Petroleum Institute; The American Gas Association.

Many other organizations have submitted letters to PHMSA expressing the need for public availability of the standards. I ask unanimous consent that the letters from the Pipeline Safety Trust, Dakota Rural Action, and Columbia Law Professor Peter Strauss be included in today's RECORD.

One organization, however, has expressed concern about posting their standards on the Internet. This has, in turn, held up progress of several important safety rulemakings that were mandated in the 2011 pipeline law.

So in an effort to move these important rulemakings forward, I believe the law should be modified to provide DOT with additional time to implement it and with additional flexibility to determine how best to make the standards widely available to the public.

I believe that even with these changes the law will continue to address the transparency and openness concerns of the safety community.

I urge my colleagues to support H.R. 2576.

PIPELINE SAFETY TRUST,
Bellingham, WA, July 15, 2013.

Hon. CORRINE BROWN,
Ranking Member, Subcommittee on Railroads, Pipelines, and Hazardous Materials, U.S. House of Representatives, Washington, DC.

Dear Ms. Brown: We would like to thank the Transportation & Infrastructure Committee and the Energy & Commerce Committee for their efforts during the passage of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (the 2011 Act) to ensure that the public can actually freely read all the regulations that Congress mandates and that PHMSA then creates through the rulemaking process that could impact public safety and the health of the environment. A review of the Code of Federal Regulations under which PHMSA operates finds the following numbers of incorporated standards:

STANDARDS INCORPORATED BY REFERENCE IN 49 CFR PARTS 192, 193, 195

(As of 6/9/2010)

CFR Part	Topic	Standards*
192	Natural and Other Gas	39
193	Liquefied Natural Gas	8
195	Hazardous Liquids	38
Total		85

*Note: Some standards may be incorporated by reference in more than one CFR Part.

Before passage of the Act most all of the 85 standards that had been incorporated into the rules had to be purchased if a member of the public wanted to know what the regulations required. PHMSA has estimated the cost to purchase a set of these standards to be between $8,500–$9,500.

The 2011 Act took the important step of ensuring public access to these standards by requiring that they be "made available to the public, free of charge, on an Internet Web site." This made good sense since web-based access is the most convenient and cost effective way for the government to share important information with the public.

Unfortunately, what was not fully realized at the time this provision was passed, was the financial difficulties it could pose to some of the standard developing organizations that have created a business model based on selling such standards back to the regulated industries and the public. This created an uncomfortable conflict between what was right in terms of public access and transparency, and how to continue to encourage private standards to be created and updated.

In the end all the standard developing organizations but one, ASME, found a way to meet the obligations of the Act. We thank these organizations for working hard to provide public access to their standards and the associated understanding and trust in the system. Unfortunately, to date ASME has been unwilling to move forward to provide transparency to their standards like all the other organizations have been willing to do. This refusal on ASME's part has caused many important pending rules to be potentially put on hold since they contain ASME standards, which PHMSA cannot make available without ASME's support and assistance. That brings us to where we are today, extending the implementation period for this important transparency issues from 1 to 3 years to allow PHMSA to release pending rules and find a way to make all these standards "available free of charge" to the public.

We hope that all the standard developing organizations that have designed ways to freely share their standards don't take this delay as a sign of a lack of commitment to this effort and remove their standards from public access. We also hope that ASME and PHMSA will continue their discussions to find a way to truly make these important parts of the federal regulations easily and freely available to the public.

We note that in H.R. 2576 the requirement that these standards be made available "on an Internet Web site" has been removed. This may not be a significant change as long as PHMSA fulfills the continuing Congressional intent that these standards be "made available to the public, free of charge." Clearly "free of charge" means exactly what it says, that a requester incurs no expense in obtaining any incorporated standard. In no way can the current PHMSA rule, as spelled out in 49 CFR 192. 7 and 195.3, of requiring people who want to review a standard to travel to the PHMSA office in Washington DC be considered "free of charge" at no cost to the requester.

Again, we thank you for your efforts to encourage public access and transparency regarding the regulations that are meant to protect their safety and the health of our shared environment.

Sincerely,

CARL WEIMER,
Executive Director.

DAKOTA RURAL ACTION,
WESTERN ORG. OF RESOURCE COUNCILS,
July 11, 2012.

Re Docket ID PHMSA–2012–0142: implementing incorporation by reference (IBR) requirements of section 24

We regretfully are not able to attend the public workshop on July 13 due to expenses of travel. We request that you consider these comments as you would comments submitted in person.

We the undersigned organizations are writing to urge you to oppose any weakening or repeal of Section 24 of H.R. 2845, the "Pipeline Safety, Regulatory Certainty and Job Creation Act of 2011." Section 24 assures that future agency pipeline safety rules that incorporate standards by reference will require that those standards be made publically available for free on the Internet.

Western Organization of Resource Councils (WORC) is a regional network of seven grassroots community organizations with 10,000 members and 38 local chapters: including Dakota Rural Action in South Dakota, the Dakota Resource Council in North Dakota, and the Northern Plains Resource Council in Montana, which have members affected by the Keystone I pipeline and the proposed Keystone XL pipeline.

Dakota Rural Action is a grassroots family agriculture and conservation group that organizes South Dakotans to protect our family farmers and ranchers, natural resources and unique way of life. We are a member group of WORC and represent over 950 South Dakotans across the state. Many of our members in South Dakota have been directly impacted by numerous pipeline projects, with anticipation of more being constructed.

Representing the public interest, we strive to create a more fair and open government. Secret laws, or a government that only allows access to laws by a segment of the public able to pay for it, goes in direct opposition to the values of a participatory democracy. Congress has repeatedly recognized the need for public access to information with the Administrative Procedures Act, the Federal Register Act, the National Technology Transfer and Advancement Act, the Electronic Freedom of Information Act, and, most recently, with Section 24 of the Pipeline Safety, Regulatory Certainty and Job Creation Act of 2011.

As of June 2010 there were 85 standards referenced in 46 CFR 192, 193, 195. For a citizen to have access to these referenced standards they would have to pay private organizations upwards of $2,000. These associated costs are an insurmountable burden for an average citizen, making it practically impossible for the public to knowledgeably comment in a rulemaking proceeding, or to propose changes to regulations that already incorporate referenced standards.

There is no reasonable excuse for failing to provide standards and supporting information that are part of existing or proposed regulations implementing federal law at no charge to the public. The fact that these standards were developed by private associations of companies subject to the laws and regulations in question does not entitle the regulated industry or any private entity serving that industry to profit from exclusive access to information and language meant to protect public health and safety.

Anything short of full implementation of Section 24 of the Pipeline Safety, Regulatory Certainty and Job Creation Act of 2011 would amount to deliberate action by PHMSA to block public participation in our government, directly contradicting the principles and values of access and transparency of the Administration and expressed by Congress in enacting section 24.

MEREDITH REDLIN,
Chair, Dakota Rural Action.
LANA SANGMEISTER,
Chair, Western Organization of Resource Councils.

COLUMBIA LAW SCHOOL,
New York, NY, July 12, 2012.

Re PHMSA workshop in incorporation by reference.

GENTLEFOLK: I appreciate the opportunity to file these comments in support of your workshop. If I may very briefly summarize their gist, there are three important propositions I would impress on you:

A sharp distinction should be drawn between Standards Development Organization (SDO) standards that are genuinely ''technical'' in character and those that, like the API standards on public hazard warnings, have a policy character that draws their force from normative conclusions, not technical expertise, and may serve to promote-industrial interests.

It is important to distinguish as well between SDOs that are professionally centered and broadly representative of the areas for which they develop standards, and those that, like API, are industrial associations or, like Underwriters Laboratories, businesses with an economic stake in the use of their standards beyond supporting standards development and publication—as by providing necessary testing or certification services.

Finally, and perhaps most importantly, one should distinguish between standards that are converted into legal obligations by the fact of their incorporation, and standards that are simply identified in guidance or regulations as one means, but not the exclusive and necessary means, by which independently stated regulatory requirements can be met. While the statute your workshop is concerned with addresses guidance documents as well as legal obligations, the rationale for requiring free public access to the former is much weaker. Once agency action has made conformity to a standard mandatory, it is no longer a voluntary consensus standard. Law is not properly subject to copyright; but guidance is not law. Perhaps ways can be found to achieve the effect of guidance yet that will not require SDOs to surrender their understandable interest in finding financial support for their standards-development activities through the sale of copyright-protected standards serving that role, and thus remaining voluntary consensus standards.

The problem of incorporation by reference of standards development organization voluntary standards into federal regulatory materials has attracted significant attention in recent months. It was the subject of a major study by the Administrative Conference of the United States, resulting in recommendations drawing on an extensive study made by Emily Bremer, a staff attorney. Subsequently, on behalf of myself and others, I filed a petition for rulemaking on the subject with the Office of Federal Register. When OFR published this petition in the Federal Register with requests for comments, an FDMS docket of more than 160 items resulted. Subsequently, OMB held a workshop with NIST and sought commentary on possible revision of its circular A–119; an FDMS docket of more than 60 items resulted. A major new book thoroughly explores the practice of standard-setting, with emphasis on implications for international trade but attention as well to the ways in which American practice differs from that of European nations.

From all these materials, a number of propositions fairly clearly emerge:

The creation of voluntary consensus standards had its origin in considerations quite independent of governmental regulation, and they remain a necessary element of today's market economies, permitting market participants to deal confidently with one another. They are extremely valuable for this reason. This reality is dominant, and is independent of governmental use of standards for regulatory purposes. Indeed, it appears that the great bulk of voluntary consensus standards are not incorporated into law, as such, and for them no issue whatever of inhibition on copyright arises. To the extent SDO viability depends on the sale of these standards, it remains untroubled. The SDO commentary in the two FDMS dockets just mentioned consistently obscures this reality. It is written as if every standard SDOs produce is threatened by the proposition that those that are incorporated as law should be publicly available to those affected.

By influencing the markets for affected goods, those who participate in the setting of standards, may gain significant competitive advantages over those who do not. This is particularly true for non-consensus standards and for industry-centered, corporate-membership standards-generating organizations like the American Petroleum Institute, whose membership is more than 500 oil and natural gas companies. Industrial standard-setters like API may be contrasted to, say, ASME—which has 125,000 members and no corporate members—or the many other SDOs having tens of thousands of individual, professional members. For the latter, the issue of possibly gaining a competitive advantage is rarely present. It is more likely that the interests of small businesses that will need to adhere to the standards adopted will be represented and heard. Gaining competitive advantage may also be the result for an individual business, such as Underwriters Laboratories, whose testing and certifying subsidiaries may profit from the conversion of UL's preferred standards into legal obligations.

European standards organizations are typically organized along hierarchical lines, both national (the British Standards Institute) and European (CEN, CENELEC), so that on any given matter, only one standard will emerge. Their processes for generating standards involve wide participation by all interested groups—even to the extent that the participation of socially important but resource-poor groups may be subsidized. European technical standards are typically framed as independent of the regulations to which they relate, and are not in themselves legally binding. Since they only serve to define one assured method for establishing regulatory compliance, not an exclusive method, they merely create a presumption that one complying with them has complied with the substantive norms of the regulation. Although showing that one has met the standard is usually the more efficient path to demonstrating regulatory compliance, citizens remain free to prove their compliance in a different way.

The pattern of standard setting in the United States is ''decentralized and characterized by extensive competition among many standard-setting bodies, operating with little government oversight and no public financial support. . . . [It] comprises some 300 trade associations, 130 professional and scientific societies, 40 general membership organizations, and at least 150 consortia which together have set more than 50,000 standards. . . . Spurred by competition, these organizations have developed numerous standards of the highest technical quality, but the fragmentation also . . . results in conflicting standards and hence poor interoperability . . .

''The shift of rulemaking to the international level turns this fragmentation into a problem for the effectiveness of American interests in the global market place. Coordination and cooperation do not arise spontaneously among competing standard-setters, and . . . [there is] a long tradition of keeping government at arms' length. . . . In the absence of government control or any other central monitoring and coordinating agent, the American system for product standardization is characterized by extreme pluralism and contestation. . . . ANSI remains a weak institution, even though it formally is the sole representative of U.S. interests in international standards organizations. . . . Private U.S. standards organizations, which derive 50 to 80 percent of their income from the sale of their proprietary standards documents . . . fear that a more centralized system would rob them of these revenues and eclipse their power and autonomy. . . . ''Rather than reach out to community interests, as European standards organizations do ''as a prerequisite for genuine openness and due process. . . . most American standards organizations contend that willingness to pay is the best measure of interest in the process and see no need for financial assistance,'' and in some contexts the sum that must be paid—even by federal agencies wishing to participate—is quite high. Some American standard-setters, the American Petroleum Institute, for example, clearly present themselves as industry representatives. This is not too problematic for standards that serve only to govern technical issues important to relations among industrial participants needing a confident basis for their dealing. Yet acceptance of industry representatives as standard-setters is questionable in matters that are not technical in nature and also involve public interests, such as pipeline hazard warnings or impositions on small businesses who are the necessary customers of the industry.

Competition benefits the users of standards only if adherence to them is not mandatory. One way in which a standards organization can defeat its competitors under the American system, and obtain a monopoly over standards (and their sale) is by having them incorporated by reference, not as one means for regulatory compliance (as in Europe) but as binding law, that must be complied with and can result in sanctions if departed from. With that monopoly, too, the standards organization acquires the power to charge a non-market price. The legislation that is the subject of this hearing resulted from the exercise of just that power. One of the comments in response to our petition to the Office of Federal Register for rulemaking reports that another standards association was charging two-and-a-half times as much for a standard that had been incorporated as law, as for its subsequent standard on the same matter, that had not yet been substituted for the first by amendatory rulemaking. Over half the incorporated standards in CFR predate 1995. Since SDOs uniformly update their standards on a relatively short cycle, most if not all of these earlier, still incorporated standards will presumptively have been replaced by the issuing SDO. Yet, if they are still law, they remain mandatory. Sale of outdated but still compulsory standards may improve the SDO's

bottom line, but it cannot rationally be ascribed to the business model for sustaining fresh standards development.

Commercial advantage also inheres in standards generated by businesses that profit from compliance determinations. On the Comm2000 website where Underwriters Laboratories offers its standards for sale, its Standard for Manual Signaling Boxes for Fire Alarm Systems, 52 pages long in all, costs $502 in hard-copy and $402 for a use-restricted pdf version; $998 ($798) purchases a three year subscription that includes revisions, interpretations, etc. However, the text of this standard incorporates by reference five other UL standards, whose purchase would add five times these amounts (as each of these referenced standards is identically priced). And even this would not complete the picture; one of these five referenced standards (746C, Standard for Polymeric Materials—Use in Electrical Equipment Evaluations) itself references 27 unique others, whose individual prices are often hundreds of dollars higher—for a total cost well in excess of $10,000. Standards in the libraries of professional engineering SDOs are more likely to sell in the $50 range. Comments in the FDMS dockets tend to assert that all standards are sold at reasonable prices, without giving concrete details. Neither OFR nor the incorporating agency exercises control over the reasonableness of price at the moment of incorporation. And, once incorporation has occurred, any opportunity for price control by the OFR or the incorporating agency vanishes. Of course, if standards were treated merely as guidance, not law, market forces would operate as one control; and agencies could more freely remove a standard from its compliance guidance if persuaded its price had become unreasonable—either in general, or in its application to vulnerable small businesses.

This last point suggests the appropriateness of turning to what is arguably the most objectionable feature of the statute that is the subject of this workshop: it applies equally to standards treated as guidance identifying a satisfactory but not mandatory means of complying with an independently stated regulatory obligation, and to standards incorporated in a manner that makes them the law itself—mandatory obligations in and of themselves. In my judgment, these two situations are quite different, both in law and in their implications for agency efficiency and effective regulation.

SDO standards converted into law—a mandatory obligation—by the manner of their incorporation suffer all the possible deficits mentioned above

They end the competition among American voluntary consensus standard-setters that is identified by many as a particular strength of our system in relation to others.

Correspondingly, they confer monopoly pricing power on the SDO whose standard has been converted from a voluntary consensus standard into an involuntary, mandatory obligation.

They significantly limit agency capacity to respond to new developments, since changing a mandatory standard set by rule will require fresh rulemaking, with its procedural costs and obstacles. That this occurs in practice may be seen in the simple fact that over half of incorporated standards are more than seventeen years old—some, indeed, no longer ''available'' in any form, reasonably or not.

The income streams resulting from law-forced purchases of mandatory but outdated standards may be convenient for the SDOs receiving them, but bear no relationship either to sound industrial practice (adherence to the contemporary standard should be preferable) or to the SDO business model for supporting the continuing development of standards.

Law is not subject to copyright. The Copyright Office knows this; it has been hornbook American law from the inception. The arguments here are most eloquently made in the FDMS docket comments of the ABA Section of Administrative Law and Regulatory Practice, and would be tedious to repeat at length. Moreover, this proposition is wholly independent of the policy concerns SDOs raise to argue that it should not be the case. It simply is the case and the consequence is that if an agency has converted a voluntary consensus standard into a legal obligation, it cannot fail to inform the public what is its legal obligation. (SDOs should perhaps for this reason resist agencies' conversion of voluntary standards into legal obligations; and the question whether the agency must compensate the SDO for doing so is an open one. Some argue that the benefit to the SDO from the imprimatur of incorporation will exceed any detriment to its bottom line—incorporations typically involves only part of the standard involved, and most businesses will wish to purchase the standards in their full, convenient form. Moreover, incorporated standards make up only a fraction of an SDO's armamentarium.) When Minnesota enacted the Uniform Commercial Code, the ALI (its drafter) retained its copyright for purposes of selling the UCC as such, but Minnesota was obliged to make its new code public, and was not obliged to pay ALI when it did so.

When an agency proposes incorporation by reference that will create legal obligations, it is strongly arguable that it must at that time make the standard proposed to be incorporated available to commenters in the rulemaking process. Contemporary administrative law caselaw and Executive Order 12,866 each impose transparency standards more demanding than might appear from the simple text of 5 U.S.C. §553. One cannot comment on a standard whose content is unknown. As the Pipeline Safety Trust observed in its FDMS comments, ''incorporating standards by reference, the way it is done now, has turned notice and comment rulemaking into a caricature of what it was intended to be.''

Since agency guidance of means by which one might successfully comply with independently stated regulatory obligations is not law, an agency's identification of a standard as one such means leaves interested parties an option whether to refer to the standard or not. It creates no legal obligation to reveal the contents of the standard used as guidance, and the SDO' s copyright is secure. It is of course also possible that there will be other identifiable means of regulatory compliance—the reputed strength of the American SDO process—so that recognition of the SDO's copyright in relation to the guidance given creates no monopoly power.

Use of standards as guidance also permits ready upgrading of the guidance as soon as standards are revised; the troubling problem of outdated standards enduring as legal obligations (because fresh rulemaking has not been undertaken) need not arise.

It is, then, regrettable that the statute you are discussing draws no distinction between incorporation by reference as mandatory obligation, and its use to provide guidance. The most useful result of your workshop, in my judgment, would be to push hard for the recognition of this distinction—by interpretation of your statutory obligations, if that seems possible, or by working for amendment. But I can find no fault with, and much reason to support, the obligation PHMSA has been placed under to assure free public access, both at the stage of proposal and at the stage of adoption, to standards whose incorporation by reference is used to create legal obligations. The effect of that use of incorporation is to transfer lawmaking into private hands that operate in secret; and ''delegations of public power to private hands [undermine] the capacity to govern.''

Respectfully submitted,

PETER L. STRAUSS,
Betts Professor of Law.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill, H.R. 2576.

The question was taken.

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

Mr. PETRI. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 37 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2576, by the yeas and nays;
H.R. 1848, by the yeas and nays;
H.R. 2611, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AVAILABILITY OF PIPELINE SAFETY REGULATORY DOCUMENTS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2576) to amend title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr.

PETRI) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 405, nays 2, not voting 26, as follows:

[Roll No. 354]

YEAS—405

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—2

Dingell
Shea-Porter

NOT VOTING—26

Bass
Buchanan
Campbell
Clay
DeFazio
Deutch
Engel
Fudge
Green, Al
Grimm
Herrera Beutler
Hinojosa
Holt
Horsford
Hunter
Keating
Kelly (IL)
Kingston
Luetkemeyer
Lummis
Marino
McCarthy (NY)
Negrete McLeod
Rohrabacher
Smith (MO)
Wasserman Schultz

□ 1858

Mr. DINGELL changed his vote from ''yea'' to ''nay.''

Messrs. PASTOR of Arizona, DESANTIS, WOODALL, and HUIZENGA of Michigan changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SMALL AIRPLANE REVITALIZATION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1848) to ensure that the Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

[Roll No. 355]

YEAS—411

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud

Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—22

Buchanan
Campbell
Clay
DeFazio
Deutch
Engel
Fudge
Grimm
Herrera Beutler
Hinojosa
Holt
Horsford
Hunter
Kelly (IL)
Kingston
Luetkemeyer
Marino
McCarthy (NY)
Negrete McLeod
Rohrabacher
Smith (MO)
Wasserman Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1905

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DOUGLAS A. MUNRO COAST GUARD HEADQUARTERS BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2611) to designate the headquarters building of the Coast Guard on the campus located at 2701 Martin Luther King, Jr., Avenue Southeast in the District of Columbia as the ''Douglas A. Munro Coast Guard Headquarters Building'', and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

[Roll No. 356]

YEAS—411

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—22

Buchanan
Campbell
Clay
Crawford
DeFazio
Deutch
Engel
Fudge
Grimm
Herrera Beutler
Hinojosa
Holt
Horsford
Hunter
Kelly (IL)
Kingston
Luetkemeyer
Marino
McCarthy (NY)
Negrete McLeod
Rohrabacher
Wasserman Schultz

□ 1914

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1962

Mr. POE of Texas. Mr. Speaker, I ask unanimous consent to remove the gentleman from Wisconsin (Mr. DUFFY) from H.R. 1962.

The SPEAKER pro tempore (Mr. BARR). Is there objection to the request of the gentleman from Texas?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2359

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent to have the name of Mr. BISHOP of Utah removed as a cosponsor of H.R. 2359.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2319

Mrs. KIRKPATRICK. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor to H.R. 2319.

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

There was no objection.

ARMANDO TORRES

(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, I rise in support of a marine who desperately needs our help. Corporal Armando Torres was kidnapped in Mexico more than 2 months ago. Minimal attention here in the U.S. and in Mexico has allowed Armando's kidnappers to think that we've given up. They are wrong. The United States does not give up and does not leave one of our own behind. The kidnapping of a United States citizen and a marine will not be tolerated. Armando served our country honorably, and now it is our duty to serve him well now.

Mr. Speaker, as you know, the bond between marines can never be broken. In the coming days, marines here in the House will come together on this floor for their brother. I invite all Members to join us and show that we will not rest until we bring Armando home.

RECOGNIZING WATERVLIET ARSENAL ON ITS 200TH ANNIVERSARY

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

Mr. TONKO. Mr. Speaker, I rise today to recognize the Watervliet Arsenal, which celebrated its 200th anniversary on July 14.

Watervliet is the Nation's oldest, continuously operated arsenal, having begun its manufacturing of military hardware during the War of 1812.

For 200 years, the arsenal has produced critical weapons, parts and material that have been indispensable to our Nation's defense. Earlier this year, the Secretary of the Army recognized the arsenal's high quality and essential work by designating it as a Center of Industrial and Technological Excellence.

The Army's Benet Laboratories, renowned for its research and development and work with advanced materials and composites, is also located at the facility. Let me offer a special congratulations to the arsenal's employees, who, despite senseless sequestration-related furloughs, continue to provide manufacturing, engineering, and quality assurance for our Nation's cannons and mortars. They have developed skills and expertise over the course of decades, many coming from families that have worked at the arsenal for generations, pouring their talents into this powerful success story. They are truly the lifeblood of the Watervliet community and the Greater Capital Region of upstate New York.

AUTHORITY FOR MANDATE DELAY ACT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week, the House will debate H.R. 2667, the Authority for Mandate Delay Act. This bill will delay enforcement of the ObamaCare mandate—employers with 50 full-time employees who do not offer government-approved coverage must pay a $2,000 fine annually for an employee. On July 2, the administration announced a delay. And while their authority to unilaterally change the law is questionable, the mandate remains a problem.

Earlier today, an employer in Pennsylvania told me that in order to address compliance costs, the employer would opt to close 1 day a week. This is not rhetoric.

In May of 2012, 71 Fortune 100 companies responded to a House Ways and Means survey. They estimated savings up to $28.6 billion in 2014 by eliminating coverage for their 5.9 million employees, paying the $2,000 annual fine. This would impact more than 10.2 million employees and dependents.

It appears that the administration has begun to understand that the employer mandate provides a perverse incentive for companies to drop their employees from health plans that are otherwise working.

I urge my colleagues to support H.R. 2667.

ERIC ''WITH'' HOLDER—FAST AND FURIOUS—AND ANOTHER VICTIM

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

Mr. POE of Texas. Mr. Speaker, at a House Judiciary hearing, Eric ''With'' Holder, the Attorney General, admitted to me that more people were going to die because of Operation Fast and Furious. That's the Justice Department and ATF gunrunning scheme that sent hundreds of U.S. automatic weapons to criminal drug cartels in Mexico.

Recently, Mexican Police Chief Lucio Rosales Astorga of Hostotipaquillo, Mexico, was ambushed and gunned down by assassins as he was driving his son to school. His wife and two bodyguards were also shot. The automatic weapon used to shoot him was a Fast and Furious gun smuggled to Mexico by the U.S. Government. Reportedly, over 200 Mexican nationals have been killed by Fast and Furious weapons.

American guns are at the side of these puddles of blood. Chief Astorga's son will be fatherless because of this government's recklessness. Meanwhile, Attorney General Eric ''With'' Holder keeps stonewalling justice and withholding information on this gunrunning scheme.

Mr. Speaker, somebody needs to go to jail. And that's just the way it is.

RECOGNIZING MRS. VIOLET B. HANNA ON HER 100TH BIRTHDAY

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

Mr. ROYCE. Mr. Speaker, I rise today to extend my sincerest congratulations and happy birthday wishes to Mrs. Violet B. Hanna, who will be celebrating her 100th birthday on July 23.

Born in Los Angeles on July 23, 1913, to Albert Wogatzke and Ella Bussjaeger, Violet is the oldest daughter of nine children. She married William Hanna on August 6, 1936. She lovingly raised a family of two children, has seven grandchildren, and six great-grandchildren. She has enjoyed wonderful health all of her life. She was raised on a farm, was a straight A student, and was so devoted to family that after graduating from high school, she gave up a full scholarship to Occidental College to start working in L.A. to support the rest of her family in Imperial Valley.

Violet has witnessed momentous changes in our Nation's history. Her life reflects a contribution to that history. I hope her century of memories brings much pride and joy to herself and family members.

I ask my colleagues to join me in congratulating Violet on this remarkable milestone. I wish her a special day shared in the company of her family and friends, and all the best in the years ahead.

AMERICAN ACHIEVEMENTS

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

Mr. FITZPATRICK. Mr. Speaker, this week in history we celebrate the achievement of Neil Armstrong's Moon landing in 1969, a shining example of American innovation and perseverance.

In conquering space, America sent a message to the world that we can achieve any task that we set our mind to. Today, 40 years later, we as Americans face similar challenges, not on the

surface of the Moon, but around our Nation. Our generation is tasked with recapturing the American spirit that put a man on the Moon by saying ''yes'' to American ingenuity in the 21st century. In that vein, Mr. Speaker, we as lawmakers must enact legislation that makes that goal a reality—things like enacting commonsense laws like the Made in America Act, which fosters a new era for American manufacturing and protects American jobs, or, once and for all, declaring energy independence for our Nation.

Now is our moment to honor the accomplishment and legacy of the Moon landing by ensuring continued success and independence of America for generations to come.

TRAYVON MARTIN

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

Ms. JACKSON LEE. As a mother and an American, I am well aware that this Nation is a nation of laws. And our system of justice speaks, and the reason why we are a democracy is because we adhere to that. But I'm proud of my constituents and others in Houston, Texas, who saw the need to petition and to be able to join the family of Trayvon Martin in praying to petition their Federal Government. That is America, Mr. Speaker—that all Americans have a right to come and petition their government.

Thank you for being peaceful. Thank you for being prayerful. Thank you for being ready to speak in tones seeking justice, but doing it in a way that is respectful of our system, and ready to be able to achieve what your desires are through continuing to pray and be peaceful. In Houston, Texas, that is what occurred. And I want to say thank you for that peace and that respect of the dignity and democracy that America is, and the respect for Trayvon Martin's family.

TRAYVON MARTIN

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

Ms. WILSON of Florida. Mr. Speaker, Trayvon Martin, a young constituent of mine that lived only blocks away from me, was brutally murdered in Sanford, Florida.

I know within my heart and will always know that things should have been different. But I accept the law. I was one of the loudest voices calling for a fair trial for Trayvon after he was profiled racially. He was followed, he was harassed, and he was shot in the heart.

On Sunday, in Miami-Dade County, all of the churches held prayer services. All of the churches prayed for the Martin and Fulton families. All of us are so saddened because we have lost our son, our son Trayvon, who was only 16 years old. He had only been 17 for 2 weeks.

God bless our justice system, that they will see that it should not end here. We must make sure that justice prevails for Trayvon Martin.

□ 1930

WE ALL ARE ONE

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Mr. Speaker, I am a mother of five biological children and of 23 wonderful foster children. My heart is broken, as my colleague's heart is broken, over any teenager whose life is taken away from them.

But I believe without a shadow of a doubt that it doesn't matter the color of a person's skin in the United States when it comes to justice. Lady Justice has a blindfold over her eyes because justice is colorblind. Justice shouldn't look at the color of our skin or our ethnicity or our financial background.

Facts have to be recognized as facts. Law has to be recognized as law. No matter if we are White or Black or Hispanic or Asian, whatever our background, justice must be served. That's why we need to stand up and stand up for justice in this country, not have justice that is separate for Blacks or separate for Hispanics or separate for Whites. We all need to be one under our law.

IMMIGRATION REFORM

The SPEAKER pro tempore. 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, we are here to talk about something that is a rather important subject. Immigration has helped make us the greatest Nation in the world, and we want that to continue. We do not ever want our borders closed; we want them secured.

Here to help in this conversation is my friend, the gentleman from Pennsylvania (Mr. BARLETTA), to whom I yield such time as he may consume.

Mr. BARLETTA. Mr. Speaker, I believe the problem is simple: we need to secure our borders first. You wouldn't replace your carpet at home if you still had a hole in the roof.

When you take that position, the question you are usually asked by people who support open borders is: Well, what do you want to do about the 11 million people who are here illegally?

I usually answer that question with another question: What do you want to do with the 22 million Americans who couldn't find work this morning when they woke up? What do you want to do about the legal immigrants who came to America for an opportunity, with the opportunity that America promises for those who come here for a better life? What do you want to do about the high school dropout who has to wash dishes and may lose their job? Where do they go? What do you want to do about the single mom who works three jobs just to put food on the table so she could feed her family? What happens to her?

Why when we talk about immigration reform is it always about the 11 million illegal immigrants who came here knowingly breaking America's laws? What about the legal Americans? What about the American workers? Where is their voice in this debate? Who's speaking for them?

When it comes down to immigration reform, I believe the answer is simple: let's secure America's borders first and protect America's workers.

Mr. GOHMERT. I appreciate my friend from Pennsylvania's comments.

It is interesting, and it really is heartbreaking, when you see so many people, like all of the masses that were here in Washington, to protest over the ObamaCare bill. Anyway, it is rather dramatic. The unions are now coming out. Of course union leaders were all for ObamaCare. Many of us said back at the time: Do you know what, when the union members find out what the union leaders have done to them in supporting ObamaCare, they are going to be exceedingly upset.

Now when you look at the results of ObamaCare forcing so many people to part-time work—as my friend from Pennsylvania was alluding to, people now have been relegated to part-time work—they may lose that. When you combine the devastation of ObamaCare and people that are losing their jobs and are being forced to part-time work and now having to do more than one part-time job with less benefits, and then you add on it the Senate bill, especially for African Americans here, it is absolutely devastating. It is a devastating one-two punch to the gut of America when you look at the Senate bill and how many Americans will be really troubled to find employment.

We have other people that are here that also wish to be heard. I yield such time as he may consume to my friend from Louisiana, Dr. FLEMING.

Mr. FLEMING. I want to thank my friend, LOUIE GOHMERT—Judge Gohmert—for having this hour together speaking on this important subject. My friend also is my neighbor. Our districts neighbor one another.

We have constituents who see this issue, I think, very consistently, that is, that when we poll them, when we talk to our constituents, they are very clear on the issue of immigration. They say first and foremost, Congressman FLEMING, whatever you do, do what Congress and the Presidents have not been willing to do, and that is secure the border and put internal security in that will prevent the visa overstays that are 40 percent of those.

We have two lingering questions on the whole issue of immigration:

One is, is immigration good for America? I would suggest to you that immigration has been good for America. All of our Forefathers, they were immigrants. They came here with the idea that they would receive religious liberty, they would receive opportunity when it comes to the economy, and they were quite willing and happy to contribute to that.

But do you know what, there was no safety net. You had to dig it out of the land yourself. Over the years, particularly by the mid-60s, this Nation began to develop a very, very steep safety net program, now 80 different welfare programs.

This has been looked at very closely by the Heritage Foundation. What they tell us is that by having open borders, such as what we have now and will have in the future if we were to pass something like the Senate amnesty bill, that the cost to Americans would go up. One study I recently read said that for every household that receives amnesty, it is going to cost the hardworking taxpayers of America $12,433.

So I would suggest to you that immigration can be a good thing for the economy—not open-border immigration, not illegal immigration, but legal immigration. What do I mean by that? That means that we allow a guest-worker program where people can come in and work our farms, work our trees. I have a lot of that in my district. But also the high end, the STEM workers—the scientists, technology people, engineering, math—where they can contribute so much to our country. Physicians coming from Asia, so many of those can do many good things.

The other thing is trust. We have a trust deficit in this country right now. I've spoken about it before. We have the Dodd-Frank Act, which is barely implemented even after 3 years. Much of it probably will never be implemented. We have ObamaCare, which is about 3 years old. Much of it can't be implemented. We have a President who couldn't get Cap and Trade passed, so he's trying to pass regulations to do that. We have a President who couldn't get the DREAM Act passed, so he rolled out a regulation to make it occur as an end run around Congress. We have a President who has tried to convert the NLRB from a very balanced board to really manage labor unions and their relationship with management to a very pro-union political tool for government.

So when we have a situation like that, what we really have is a President that picks and chooses the laws that he wants to enforce and he wants to obey and he wants to acknowledge and ignore the rest. By passing all of these massive comprehensive bills that Senators and Members of Congress don't even read before they are passed, all we are doing is offering a smorgasbord to the President that he can pluck just the parts that he wants, and he could add some more if he chooses to do that.

Well, that makes him no longer a President. That makes him a ruler, and that is not the kind of government we have. We have a balance between three branches of government. That's the way our Founding Fathers determined it to be, and that's the way it should be today.

I join my colleagues, I think, in this understanding, and that is that such legislation that passes from this House, or from the Senate for that matter, if in fact it creates an open border, a porous border, or in any way creates amnesty or a pathway to citizenship and we have not dealt with and certified, made verifiable borders that are under secure control by our government, a sovereign government, and that we handle the visa overstay problems that we monitor and protect from that, if we have not done that, then we have not done our constitutional duties as Members of the House of Representatives.

I thank my friend so much. And my other friends—we are filled with Members here who are ready to talk on this issue passionately—I think you are going to hear a lot more from this group that's here tonight as we talk more about this issue.

I would just say, lastly, that we need to decide what is important for America first. We should determine what is good for the American citizens and the taxpayers. We certainly want to handle anybody who is here illegally in a humane way; but on the other hand, our first and most important responsibility is to the American citizens who are hardworking taxpayers.

The SPEAKER pro tempore. Members are reminded that it is not in order to engage in personalities toward the President.

Mr. GOHMERT. Mr. Speaker, at this time, I appreciate very much my friend from Louisiana. We do border at our State lines there. We can be just the best of friends and never worry about somebody being moved into the other person's district for redistricting purposes. But I appreciate so much the perspective. As a person who spent his professional life and his training all geared toward helping others, administering to others, and addressing their needs, I appreciate that perspective of an excellent physician here.

At this time, I would also like to yield such time as he may consume to my friend, the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from Texas for pulling this together and for yielding.

I recognize the admonishment from the Speaker. I don't think, though, that we are constrained from raising objection when the President of the United States willfully violates his oath of office. It is not a personality issue; it is a constitutional issue.

I would direct, Mr. Speaker, the attention to article II, section 3, in the United States Constitution that says that the President shall take care that the laws be faithfully executed.

I have pointed out to folks of less education than anybody in this room that that doesn't mean you execute the law in a fashion you give it the death penalty. What it really means instead is that you carry it out, you enforce the law.

I know that the President has taken an oath to do that, and he understands it. He gave a speech at a high school here in Washington, D.C. on March 28, 2011. When they asked him: Why don't you enact the DREAM Act by executive order, he said: I know you want me to do that, but I don't have the constitutional authority to do that. You've been studying the Constitution in high school and you know this: that the legislature, that's Congress, passes the laws; the President's job in the executive branch is to enforce the laws, and the judicial branch is to interpret the laws.

Well, that is pretty clean and concise, and it is appropriate to be coming from a former adjunct professor of law at the University of Chicago; but he forgot his own lesson, and he forgot his own lesson a number of times, not only with immigration, but No Child Left Behind—waived it. It is just a directive from the United States Congress signed by a previous President, and he waived No Child Left Behind.

How about welfare-to-work, that long battle that lasted about 2 years here and resulted in who-knows-how-many vetoes by Bill Clinton, but he finally signed it. There was not room in there for the President to waive the work side of welfare, but he did it anyway.

□ 1945

When it comes to the immigration law, the directive there is that, when law enforcement encounters people who are unlawfully present in the United States, they are compelled to place them in removal proceedings. They shall be placed. That's the law. It doesn't say ''may.'' We have had to now mount litigation against the President of the United States, in the name now of Janet Napolitano, to compel him by pleading to the court to keep his own oath of office.

All of this is about expanding the dependency class in America. This is about making government bigger. It is about what the end result is—higher taxes. It's about borrowing more money from the Chinese and the Saudis to run our government. The President got to the point where he didn't like his own law, ObamaCare, and announced in this pretty-hard-to-figure-out way—I wasn't actually watching the Web site of the second in command of the U.S. Treasurer when the announcement came out—that we're going to extend ObamaCare and the mandate on employers by another year. He has no constitutional authority to do that either. The ObamaCare legislation says that the employer mandate shall be enacted each month after December 31, 2013. It doesn't say ''may.'' It says ''shall.'' The only way

the President gets any of this authority that I've mentioned is by coming back to Congress and asking us to approve it.

Now, when you see the rule of law undermined, Mr. Speaker, and when you see that the lines between article I, the legislative branch, and article II, the executive branch, are willfully blurred by the President of the United States, it eventually brings out a constitutional crisis. In the middle of all this constitutional crisis, we have, according to the people who want to grant amnesty, 11 million people who are unlawfully present in the United States. The law refers to them as ''illegal aliens.'' The President has said, I will not enforce the law against them unless they have committed a felony or three mysterious misdemeanors.

They have pushed legislation in the United States Senate that says, really, this: other than those exceptions that I've mentioned—those who have committed felonies and have been caught at it, and I suppose if they would admit to it that would be another category in which they'd be disqualified—and other than those who have committed those mysterious misdemeanors, setting that aside, everybody who came to America before December 31, 2011, gets legalized, however they got here. Of course, especially if they arrived here illegally and if they overstayed their visas, they get legalized under the Senate Gang of Eight bill. Then, for those who would arrive after December 31, 2011, there is an implied promise that they have as much moral standing as the people who would receive the amnesty in the act of the law, so the implication powerfully is they also would receive their amnesty in their due time.

So that is the definition, Mr. Speaker, of perpetual amnesty—amnesty that goes on forever. We are still working on restoring the rule of law since Ronald Reagan's 1986 amnesty act. We are working to restore it. If this Gang of Eight bill is passed or if legalization passes this Congress, what that says is all of those years of seeking to restore immigration law after the '86 amnesty act are all wasted. All of that labor, all of that effort, all of that preaching on principle and going back to the constitutional core is all wasted if we legalize people here. It's also retroactive amnesty. Anybody who is here or anybody who could ever get here, other than those exceptions that I mentioned, gets the path to citizenship. Whether you make it one more step or one less step, it's the same thing. It's a path to citizenship.

''Amnesty.'' We should understand what it is. To grant amnesty is to pardon immigration lawbreakers and to reward them with the objective of their violations. That's ''amnesty.'' I will debate anyone at any time on amnesty. I'm ready to do that any time myself, and I've defined ''amnesty'' for a long time. The American people understand what it is even if they don't articulate it exactly the way that I suggested.

Not only is it perpetual amnesty for anybody who is here and for anybody who would come here, it's also retroactive amnesty, which means, of those folks who were deported in the past, the bill actually sends an invitation through the language in the law that says we didn't really mean it. We really didn't mean it. It's retroactive. Why don't you reapply and come to the United States. We'll put you in the same path as those other folks who jumped in ahead of the line and violated the law—committed the crime of crossing the border if they crossed it illegally or overstayed their visas—committed a violation of a civil misdemeanor, which is still serious. Then of those who worked here, most all of them, if they were unlawfully present in the United States and if they lawfully could not work in the United States, committed document fraud in order to pull that off. The bill also grants amnesty for those who committed document fraud, and it grants amnesty for those who knowingly and willfully hired people who are unlawfully present in the United States and legally can't work. That's the situation we're dealing with.

Mr. Speaker, we're dealing with the destruction of the rule of law at least with regard to immigration law. If we can't reconstruct respect for the rule of law in the years since 1986, how in the world would anybody think we could reconstruct the rule of law in the years since 2013? How could anybody think that because they want enforcement in the future that they have to sacrifice the rule of law today? How could they think that sacrificing the rule of law today doesn't mean that you've sacrificed the rule of law for the duration of the life of this Nation at least with regard to immigration? If you can make the argument that the rule of law can be set aside forever with regard to immigration, how then do you make the argument that there isn't some other sector of the law that has as much merit as those folks whom they're trying to get legalized now?

There isn't anybody under the bill in the Senate or under the amnesty provisions that have been proposed here in the House who isn't going to be put in front of the line of those people who are in a foreign country politely and respectfully waiting their turns. There are at least 5 million people in various visa categories who have respected American law, and they're waiting in their home countries for the opportunity to come into the United States. We need to respect them. We need to respect the millions of legal immigrants who have followed the law to come into the United States lawfully and to follow the path of citizenship lawfully.

I will give you an example, Mr. Speaker, of just last Friday when I was invited to speak before the State convention of the American Legion. They held it in Sioux City, Iowa. I was privileged to be there, and I gave a speech and talked about history and patriotism and those things that one would in that scenario. At the conclusion of this speech, I presented the medals to an American veteran who had not received the medals that he had earned. The certifications were not in order, and we had put those certifications back in order and had acquired all of his medals that he had had coming. We put them on a framework, and I presented them to this man. The man's name is—it's in the press in Sioux City now, I'm sure—Raul Macias.

He came into the United States from Mexico at age 22. He married an American and was nationalized as an American citizen. He joined the Army at age 31 and was deployed over into Germany as a cold warrior when we were lined up against the Soviet Union. At one point, he wandered across the border into East Germany and was picked up by those folks wearing those uniforms. Thankfully, they released him and let him come back. He served our country, and he served our country proudly and honorably.

After all of the words that I said on Friday and after I presented him the medals, I also presented him the microphone and said, This is your opportunity to speak. He said three words in his acceptance speech: ''Thank you, America.''

That's a man who did it the right way—the kind of people we need to respect by the millions in this country who did it the right way.

It's no respect to them if we destroy the rule of law. Legalization is destruction of the rule of law, and legalization is a path to citizenship. We must preserve, protect, defend, restore, and refurbish the rule of law with our immigration policy in the House. We are the last stop. We are the defense. We are the redoubt for the rule of law right here. I'm glad to count a lot of people in this Congress my friends. I'm glad to count those who stand for the rule of law as my closest friends.

I appreciate the gentleman from Texas.

Mr. GOHMERT. Thank you. I appreciate those observations so much, and it brings to mind our colleague from down in central Texas who is also a former district judge. He and I share that, but he was a district judge twice as long as I was.

So many people say, Well, you've got to have compassion. Despite the allegations from friends on the other side, we have compassionate Republicans, and our hearts break for people. For one thing, there are all of those people who are out of work who really want to work now, and we haven't created that environment—through ObamaCare, through the welfare state, through the problems with not respecting and adhering to the law when it comes to securing the border. The government has the obligation, from both a Biblical perspective and a secular perspective, of enforcing the law and of making sure the people within its boundaries

are protected who are lawfully there. That is the obligation.

Sometimes defendants would come before me as they'd come before Judge CARTER, from central Texas, during his days on the bench. They'd know you were a Christian, and they'd bring a big Bible and try to play on your senses—well, you've got to have compassion. I've got a big Bible here, and God has worked in my life, so now don't sentence me harshly. Judge CARTER had one gentleman come before him who said, Judge, I know you're a Christian, so you've got to have forgiveness, and you've got to forgive me. Judge CARTER replied, Sir, individually, I do forgive you, but the State of Texas sentences you to 20 years in prison.

There is a difference. Individually, you can have that compassion and should, but when you're acting as the government, people expect you to have respect for the law, adherence to the law, so that there is a country in which people can come and feel safe, at least reasonably so, and understand that the law is going to be applied across the board.

We have also been joined by our friend from Alabama. I am proud to have had him join Congress back 2½ years ago in the great sweep, so I yield to my friend Mr. BROOKS from Alabama.

Mr. BROOKS of Alabama. Thank you, Mr. GOHMERT.

I have a firm belief that, if the people understand the truth, then they'll make the right decision. There have been a number of arguments advanced by the other side on this immigration–illegal alien debate that are misleading at best, and I'm going to touch on a couple of them with your permission.

First and foremost, there is the argument advanced that our economy is going to do better, and, hence, Americans will do better. Half of that is right. Bear in mind that the Senate Gang of Eight bill legalizes, at a minimum, 11 million illegal aliens who are now present in the United States of America. Also bear in mind that, over the next decade, according to the Department of Homeland Security report, the Senate Gang of Eight bill will bring into America lawfully, roughly, 33 million foreigners who are not here presently. Now put those numbers together—11 million legalized plus 33 million to come in lawfully. That totals 44 million lawful workers added to the American workforce. That is out of 144 million total number of people who are employed in the United States economy, according to the June—last month—of 2013 Bureau of Labor Statistics.

If you look at these numbers—if you bring in 44 million people—of course America's gross national product and gross domestic product are going to increase, but the misleading part of it is this: that does not necessarily translate into a higher standard of living for Americans and foreigners who are lawfully in America. Let me explain.

The key is not the total GNP or GDP for our country. The key is the total GNP and GDP per capita. If our gross domestic product goes up a little bit but the population goes up a great amount, then we, individually—American families, individually—are now living under lower economic conditions. Stated differently, our standard of living has declined; and, in that vein, rather than just making an argument, I want to share some data that buttresses that argument.

The Congressional Budget Office, which has been rather kind in my judgment to its evaluation of the Senate Gang of Eight legislation, issued a report called ''The Economic Impact of S. 744.''

□ 2000

This report was issued just last month in June of 2013. I'm going to quote for the record parts of that report:

> S. 744 would lower per capita gross national product by seven-tenths of 1 percent in 2023.

So over the next 10-year period of time, rather than our GNP growing per capita and America doing better individually, it declines under this bill. It's not just stagnant, the kind of stagnation that we have suffered for the last 5 or 6 years or so. There is a decline in GNP per capita, which means that the amount of money each American household has to spend to take care of their daily needs goes down because of the Senate Gang of Eight bill, because it is both legalizing and admitting into our country a total of 44 million foreigners who are going to be seeking jobs that Americans already have or that Americans want.

Further in the report:

> Average wages for the entire labor force would be one-tenth of 1 percent lower in 2023'' because of Senate bill 744. By 2016, just 3 years from now, that would be four-tenths of a percent lower, where our wages again are going down.

Also notably, in another admission, S. 744 will ''slightly raise the unemployment rate through 2020.''

So not only do we have a suppression because of this amnesty, because of this open-borders nature of the Senate Gang of Eight bill of individual incomes, we also have more Americans who are unemployed, according to the Congressional Budget Office

I think that their numbers, quite frankly, are rather kind to the Gang of Eight bill. I think it's going to be much worse. In that vein, let me share some other data points. According to The Heritage Foundation report that was issued a few months ago:

> Unlawful immigration appears to depress the wages of low-skill U.S. born and lawful immigrant workers by 10 percent, or $2,300 per year. Unlawful immigration also drives many our most vulnerable U.S. foreign workers out of the labor force entirely.

That's a big number, a drop in wages of $2,300 per year for low-skill American born and lawful immigrant workers.

Here's another study, a 2009 study by the Pew Hispanic Center that concluded that there were 7.8 million illegal aliens who were holding jobs in America. Okay? Stated differently, that's 7.8 million job opportunities that Americans have lost. Why? Well, quite frankly, because illegal aliens are often willing to work under the table, get paid under the table; because illegal aliens are often willing to work for less than Americans are; quite frankly, because illegal aliens are often willing to look the other way with respect to the worker safety laws that we have imposed in order to protect our American workers from bodily harm. There were 7.8 million job opportunities that were lost. The Federation for American Immigration Reform thinks that number is low. They have it at 8.5 million job opportunities lost to American citizens, and that's today before the Gang of Eight bill gets implemented.

Harvard professor George Borjas found in a study released in April of 2013, again just a few months ago:

> Illegal immigration reduces the wage of native workers by an estimated $99- to $118 billion a year.

Let me read that again:

> Illegal immigration reduces the wage of native workers by an estimated $99- to $118 billion per year and generates a gain for businesses and other users of immigrants of $107- to $128 billion per year.

Is it any wonder the United States Chamber of Commerce is spending millions of dollars to try to induce America to go with the Gang of Eight bill that will legalize 11 million foreigners and add another 33 million foreigners over the next decade? They see profits coming from this increase in the size of the workforce, which in turn will decrease the wages that they pay not only to illegal aliens, but also to lawful immigrants, and also to American citizens. So that's where the United States Chamber of Commerce is coming from. They certainly have a financial interest.

Now I want to emphasize something. We should not be debating bringing in these mass numbers of foreigners into the American workforce in this kind of context. America currently suffers a 7.6 percent unemployment rate. Asian Americans suffer a 5 percent unemployment rate. White Americans suffer a 6.6 percent unemployment rate. Even worse, Hispanic Americans suffer a 9.1 percent unemployment rate. Even worse, African Americans suffer a 13.7 percent unemployment rate. And even worse, American teenagers suffer a 24 percent unemployment rate.

Does it make sense to anybody that when we have unemployment in so many different segments of our economy so high that we should legalize another 11 million workers and bring in an additional 33 million workers over the next decade to compete for jobs when Americans are having such a difficult time in this economy not only getting jobs, but getting quality jobs?

That having been said, Mr. Speaker, I would submit that it is a myth that the

economy is going to become better because of this large importation and legalization of immigrants. Sure, America's GDP will go up, but that's not the issue. The issue is whether the quality of life for individual Americans goes up, and under this legislation, virtually every study I have seen, in fact, says that it goes down. That's one of the reasons why we have to stop this.

I've got one other myth that I would like to talk about. The whole premise of this immigration law debate is that the laws need dramatic changing, they aren't working. I would submit that that's not the case at all. The problem is not so much with our immigration laws. Sure, there's some tweaking that can be done in order to make sure that we admit into our country those individuals who have particular skill sets or educational levels or wealth that will enhance our economy. Sure, we can do that kind of tweaking. But it's a myth to say that we have 11 million illegal aliens in America because of our laws. That's not the case at all. We have 11 million illegal aliens in America, quite frankly, because the White House, the executive branch of our government, has absolutely refused to enforce the laws that are on the books. And I'm not talking about just this administration. I'm talking about 20 years of neglect by the White House and the executive branch.

Let me share some numbers with you on that point, and then I'll defer back to my good colleague, Mr. GOHMERT.

In 2011, the number of Border Patrol returns plus illegal aliens deported by court order was 715,495 individuals. That's an important point to note. Okay?

You've heard the myth that this administration deports more than any administration in history, or words to that effect. That's kind of true, but it's misleading because that's only half of the number that you need to look at. It's not just the deportations by order that you look at. It is also how many times has our Border Patrol caught individuals and returned them. So in 2011, we have roughly 715,000 Border Patrol returns plus deported by court order.

Let's go back to 2008, the last President before the current President. During that year, you put those two numbers together, and it was 1.1 million that the Border Patrol returned plus deported by court order. That's a big number—64 percent more returned than in 2011, the most recent year for which I have information.

A decade ago, it was again 1.1 million Border Patrol returns plus deported by court order—62 percent more than this administration in 2011. In 1993, two decades ago, 1,285,952 illegal aliens were returned pursuant to Border Patrol returns or deported by court order—80 percent more than in 2011. In 1983, it was 950,000—33 percent more than 2011. In 1973, four decades ago, it was 585,000. And in 1963, it was 77,000 Border Patrol returns plus deported by court order. And I want to note something about the gap between 1963 and 1973. You'll remember these welfare programs that got passed as a part of the Great Society program where America started paying foreigners to come into our country where they start accessing welfare benefits? I would submit that that is a huge incentive for why these individuals have come to America who previously would not have come here under illegal terms. But because we've got laws in place that pay and incentivize illegals to come here, that is, in fact, a major reason why they're here.

Nonetheless, the myth that the laws are the problem, is not it. It's a lack of enforcement of the laws on hand. And the myth that this administration has been really good at returning illegals, that's true only if you look at half of the problem. If you look at the whole problem, then, quite frankly, this administration in 2011 was doing far worse than previous administrations have done or as has been done in 2003, one decade ago, two decades ago, three decades ago, and four decades ago.

Mr. GOHMERT. I thank the gentleman from Alabama. Those were really amazing numbers that you provided, and we'll talk about those further.

Mr. Speaker, at this time, I would like to yield to my friend from Minnesota (Mrs. BACHMANN) for such time as she may consume.

Mrs. BACHMANN. I thank the gentleman from Texas, Representative LOUIS GOHMERT, and I also thank my colleagues who preceded me and all the marvelous comments they have given: Mr. BROOKS from Alabama and the statistics that he has just given and all the other stories.

I look at the context of this issue, Mr. Speaker, and the issue of dealing with the whole strata of illegal immigration. What are we talking about? There are so many aspects. One of those aspects, of course, is the issue of why in the world isn't America's border secure today? This is something that is incomprehensible to the American people because there is something that the American people should demand and that they have a right to expect, and it is that their country has a secure border at every level. Not only just at the point of entry, but for people who come into the United States on a lawful, legal visa. The American people have a right to expect that those people also will stay for the time that we have granted those people and that they will not overstay.

The one thing that we've learned, Mr. Speaker, is that 40 percent of the problem of illegal immigration, 40 percent—4 out of 10—people are overstaying their visas. That included some of the terrorists that were involved in the 9/11 bombing. That's why this is so important.

We aren't talking just about an academic exercise, Mr. Speaker. We are talking about a national security issue. We're also talking about an economic security issue. Because for those of us who are here on the floor this evening having this conversation, we were elected by the American people. We were elected by American citizens who have the privilege to vote in this country. We are elected by Americans, and we are here representing the interests of American citizens. And it is American citizens, Mr. Speaker, who have the obligation to pay for all of the programs that we fund here in this Chamber because our Constitution provides that all of the spending begins right here in the House of Representatives.

Spending is something we're pretty good at. We spend a lot in this House. As a matter of fact, it wasn't too long ago I was sworn in. I took the oath of office right here in this Chamber, and America was $8.67 trillion in debt, Mr. Speaker, on that January in 2007 when I took my oath of office.

We were horrified. How were we ever going to pay off $8.67 trillion in debt? 2007. Today that number has been running, and officially, according to our Treasury Department, it is something under $17 trillion. But that's kind of unusual because that number has actually stayed exactly the same, according our Treasury Department, for about 56 days running.

□ 2015

Of course we know that isn't true. We overspend by billions of dollars every day. The number is actually something pretty close to $17 trillion. So let's think about that: $8.67 trillion and, today, $17 trillion in debt. Why do I bring that up? Who cares about these numbers? They're so big, we can't even comprehend them. Well, I care. I'm a mother. I have five great children and 23 foster children, and parents across America are scared to death about the kind of America their children will inherit, because any fair-minded person realizes you can't spend more money than you take in, otherwise you go to the poor house and you declare bankruptcy. And we don't want our children in that position where they declare bankruptcy.

Maybe that explains part of the reason why we have 22 million people in this country today who are looking for full-time work, and they can't find it. Twenty-two million people looking for full-time work, and what are we doing here in Congress? The Senate can't wait to give amnesty to illegal aliens, so we'll have a minimum of 11 million immediately who'd have legalization status in this country; and we would have, as Mr. BROOKS said, up to 44 million people before long in this country.

So now what are those 22 million Americans supposed to do? Mr. Speaker, I say it is America first, and the interests of the American people first. The American people need jobs. They deserve jobs. It's Americans first that we need to think about. So we have unemployed. We have a terrible debt that's growing, and we have less than anemic economic growth.

One thing Mr. BROOKS mentioned, when President Obama took office in 2008, the average household income was somewhere around $55,000 a year. It was shocking to learn after 4 years in office, the average household is now looking at something like $50,000 a year. That's a tremendous loss in income for the average American. As Mr. BROOKS told us earlier, Mr. Speaker, about $1,300 a year is attributable in lost income strictly because wages are depressed because illegal aliens are working for less than the American people.

I say, Mr. Speaker, it's the American people first. It is American wages first. It is American benefit packages first. What in the world are we doing, Mr. Speaker, if we aren't thinking about how we can create more jobs for the American people first. And higher wages for the American people first. And more benefits for the American people first.

Why did the President 2 weeks ago have to unilaterally have a press conference, or release a press statement—that's apparently the way he governs these days—and say that his employer mandate for big businesses will have to be delayed a year? Why did he have to do that? Because he knows it simply doesn't work.

And yet if we have legalization for illegal aliens in the United States, we will see that very quickly we will have literally tens of millions of new people who'll have access to all of these benefits because it's not cheap, you see. Amnesty costs a fortune, you see. Because this year alone, Mr. Speaker, we're looking at $54 billion a year. Do illegal aliens pay taxes? Yes, they do. They pay sales taxes, gas taxes, various forms of taxes. But when you take what illegal aliens are paying into the U.S. Treasury versus the benefits that they take out, that means that American citizens have to cough up an extra $56 billion a year. It is a net drawdown on the U.S. Treasury. You see, it has consequences, Mr. Speaker, not only for the Treasury but for the American people, for my children, for Representative GOHMERT's children, and I dare say for your children as well, Mr. Speaker.

This is something we have to realize, that by year 13 of the bill that's already being considered in the United States Senate, it won't be $56 billion a year that illegal aliens are costing the U.S. Treasury. It will be over $100 billion a year. And when those illegal aliens come into retirement age, because you see the average age of an illegal alien is 34 years of age with less than a 10th grade education, by the time those illegal aliens come into their retirement years, it's not $56 billion a year that it will cost the taxpayers. It is adjusted for inflation, $150 billion a year because we're talking very expensive retirement packages.

So you see, Mr. Speaker, at the worst possible time when baby boomers like myself are getting to the point of drawing down the Social Security benefits that we earned and the Medicare benefits that we earned and accessing whether it's ObamaCare or the 80-other means-tested welfare programs, at the worst possible time, Mr. Speaker, this Chamber is looking at adding over 40 million new illegal aliens into the system to redistribute wealth from American citizens who worked hard and earned that money, to redistribute it to illegal aliens that we have given legalization status so that they can have Social Security and Medicare and ObamaCare and 80 different means-tested welfare programs.

Mr. Speaker, I ask you this: When we go from $8.6 trillion in debt to nearly $17 trillion in debt, we've doubled it in about 6, 7 years' time, and then you add in 40-some million new illegal aliens, you up the benefit package from ObamaCare, all while we're seeing increased levels of unemployment, we're seeing lower rates of increases in GDP, I ask you, Mr. Speaker, how compassionate is that to American children that are born in this country? How compassionate is it when their wages have gone, the average household, has gone from $55,000 down to $50,000? How compassionate will it be, Mr. Speaker, when our children can't even afford to have a savings account anymore because they're scraping by and their wages are lowered and their benefits are lowered and the jobs are fewer and inflation is going sky high? How is that compassionate?

Because, you see, I remember, Mr. Speaker, that my parents left me a country that was better than the one that they inherited from their parents. And my grandparents, Mr. Speaker, inherited a better country than my great grandparents left for them, and so on and so forth going back in time.

You see, I can't fathom, Mr. Speaker, nor can I fathom that Mr. GOHMERT also would do anything that would leave less than a better country for the next generation because, you see, that's what this is about. We were sent here by the American people to be about America first and, Mr. Speaker, about our children first, and whether this America that they inherit will be a better America.

And that's why this discussion that Mr. GOHMERT brought to the country tonight is so vitally important, and we can't stand by and watch our country change forever and watch our children shortchanged. And so I'm going to yield back to the gentleman from Texas because he has profoundly put in front of the American people the issue that will structurally change our country forever. You see, Mr. Speaker, there's no going back once we go down this road. And I know I've heard the gentleman from Texas speak on this many times so eloquently. I thank the gentleman for all he has done.

Mr. GOHMERT. Those are wonderful points, and it brings back to mind what someone has said before. The example of being on an airplane, the instruction we're all given when you get on an airplane is if there's a loss of cabin pressure, you lose oxygen, then you must put your own mask on before you help others. Let's face it, America is struggling right now in a number of ways, but particularly economically. This is the worst recovery from any recession we've ever had, the longest, the poorest recovery from any recession. We're still struggling, having millions and millions of Americans out of work; and it's not because of a lack of compassion that we say we need to follow the law, we need to respect the law. It is out of respect for the rule of law, for this country. We're in a position as government, we have got to make sure that we follow our oath, that we do the best we can to make this country as strong as possible because we know there is no other country in the world that has as many people wanting to come visit or live in this country. This is number one in the world for people wanting to come visit or live.

But if we do not keep it viable, keep it strong, get the mask on, get the oxygen flowing again, get the patient strong again, then this is not going to be a place that others in the world are going to want to flee to as a refuge. It is very critical what we do here.

My friend from Minnesota brings up the point about taxes being paid. Congress some years back passed—and there are a couple of different kinds of child tax credits where actually if you're an American that's authorized to file income tax and you have a Social Security number, then you can claim those child tax credits. So we have people who are getting more money back because of the tax credit than they actually paid in, and Congress made clear you have to have a Social Security number in order to do that. But as I understand it, there were some people at the IRS who in between line dancing sessions had determined that, you know what, there's a lot of money out there by people who don't have Social Security numbers that if we got them to pay taxes, even though they're not legally here, if we got them to pay taxes, think about all the extra money that'll flow into the Treasury.

So why don't we, as a regulatory body, and we know Congress didn't authorize it, but why don't we just give them a tax ID number, even if they're illegally here, so they can be paying in all of the taxes to help the country. And an analysis earlier this year by different groups indicated that we may be, because the IRS authorized people to pay taxes into the system with tax ID numbers rather than Social Security numbers, we're probably paying out between $1 billion and $4 billion to people who are claiming child tax credits that are not authorized to claim those because they're illegally here.

We had newspaper reporters go out, people in the media, go out and do their own investigations and find a house here or a house there where a whole bunch of different people are

claiming that they live and that children are living there by the scores that aren't actually living there. And so it comes back and raises the issue, like Mr. BROOKS was pointing out and my friend, Mrs. BACHMANN, was pointing out that it doesn't necessarily follow that just because you give people legal status, all of a sudden you're going to be flooded with new tax dollars coming in.

I also want to point out there's this issue that keeps coming up about compassion. There is no more compassionate people in the world than the American people as a group. You'll find individuals extremely compassionate around the world. I've been in places where I'm deeply moved by how wonderful they are; but as a Nation of people, this is the most compassionate Nation in the history of the world. And individually, people in this Nation have done more to assist those suffering around the world, and it would seem to be the healthiest thing to do as a Nation, to make sure there is respect for our law, adherence to our important laws, and then make the country healthy.

Capital, we know—money, that is—investment money comes in. It flows, as the saying goes, capital is a coward. It flows into countries where it feels the safest. Make this country a strong country again economically so then we are able to go, as so many churches have, to Latin American countries, to countries around the world, and reach in and help them not by giving them a fish, as the old adage goes, but by teaching them to fish and providing them a means to have food and to make a living. That's a compassionate kind of thing.

There is no reason that Mexico should not be one of the top 10 or even top five economies in the world; and if we were the proper kind of neighbor, we would lure the hardest working Mexicans into America. We would help them have a strong, vibrant economy. But that will never happen until they have respect for and adherence to the law, and that means ending corruption. So it is critically important we live up to our oaths here. Some of us have even paid parking tickets we didn't owe because we had a Park policeman that didn't know the law.

□ 2030

It doesn't matter. The law is important to respect and to follow, and we cannot become a healthy Nation until we have that out of the Government of the United States.

We have a couple of minutes left, and I'd like to yield to my friend, Mrs. BACHMANN, to finish our time.

Mrs. BACHMANN. I thank the gentleman from Texas.

I wanted to add on to the child care tax credits that you were speaking of.

There's also another redistribution of wealth item in the Tax Code. It's called the earned income tax credit. It's one of the largest redistribution of wealth programs that we have in the United States. We give away to people who are virtually paying no taxes under the Income Tax Code, income taxes, $70 billion a year. So people who aren't paying into the system now for income tax, they're receiving $70 billion a year. The estimate is that, after amnesty, once we grant amnesty to illegal aliens, we'll raise that to $80 billion a year. So we're going to increase the cost.

So what we're seeing happening, by granting amnesty to illegal aliens, we're importing a group of individuals who are tax consumers, revenue consumers out of the Treasury. And one thing that we need in this country are more people who are paying into the system, not people who are taking out of the system.

But bottom line, we need to have a country where America comes first, where the American people know that our borders are secured, that our laws will be upheld, and that the American people will come first.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2668, FAIRNESS FOR AMERICAN FAMILIES ACT; AND PROVIDING FOR CONSIDERATION OF H.R. 2667, AUTHORITY FOR MANDATE DELAY ACT

Mr. BURGESS (during the Special Order of Mr. GOHMERT), from the Committee on Rules, submitted a privileged report (Rept. No. 113–157) on the resolution (H. Res. 300) providing for consideration of the bill (H.R. 2668) to delay the application of the individual health insurance mandate; and providing for consideration of the bill (H.R. 2667) to delay the application of the employer health insurance mandate, and for other purposes, which was referred to the House Calendar and ordered to be printed.

MAKE IT IN AMERICA

The SPEAKER pro tempore (Mr. BENTIVOLIO). Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, thank you for the opportunity to discuss this evening jobs, putting Americans back to work, building our foundation for economic growth.

For many, many days now, in fact, for more than 2 years, the Democrats in the House have been discussing a project which we call Make It In America. These are strategies that we're putting forth to develop more jobs in America, to rebuild our manufacturing industry, and to bring wealth back to the United States.

I would love to comment on the issues that I've heard earlier with just my colleagues on immigration, but I'll let that go. I would just say one thing. The last comment that was made about the earned income tax credit, I would remind my colleagues that that was a Ronald Reagan program. Take that for what you might.

Back to Make It In America. These are the basic issues. We talk about trade policy, fair trade policy, not giving away our opportunities; tax policy, to encourage manufacturing and jobs here in United States; energy policy, how we're going to renew our energy system, become energy independent, the role of clean fuels, the role of renewable fuels and gas; the labor market, education.

Perhaps the most important of all of these is a well-educated workforce. If we have that, many of these other issues would fall into place—the role of research in creating tomorrow's economy, tomorrow's businesses, the things that need to be made in the future.

But tonight we want to talk about, not the least on this, it just happens to be the lowest on this list, and that is infrastructure. It's one of those critical investments. It's the foundation upon which the economy grows or not. If we have a solid infrastructure—transportation systems, water systems, sanitation systems, communication systems, research facilities, educational facilities, that's all part of the infrastructure. Some of it is private; much of it is public investment. But this is one of the fundamental investments, along with these other issues here, that our economy has traditionally made over the years. And unfortunately, in the current situation, we seem to be falling off the power curve that created the foundation for the American economy upon which to grow.

So today, we're going to really focus on this infrastructure issue, not a new issue. Actually, George Washington, I think he was our first President, told his Cabinet Secretary, Treasury Secretary, to develop a plan to grow the economy, called, A Plan for Manufactures.

Alexander Hamilton came back to Washington with a plan. One of the many points that he raised and suggestions that Alexander Hamilton made was to create infrastructure. He said the Federal Government ought to build canals, ports, and roads, fundamental infrastructure upon which the American economy would grow. And those things were done right back at the very beginning of this country. So from the very earliest days, the Federal Government has been involved in building infrastructure.

Now, tonight, joining me are two of my colleagues, Mr. DELANEY from the great State of Maryland and Mr. CASTRO from Texas. They're going to talk about infrastructure. And I'd like now to turn to Mr. DELANEY, who has a proposal that, actually, the President of the United States suggested in his American Jobs Act program, a program that he put forth more than a year ago

that the Republican Congress has done nothing with. So Mr. DELANEY has picked up one of the suggestions that the President made, made it whole, and has presented legislation on an infrastructure bank.

Mr. DELANEY, please join us and tell us about how the infrastructure bank would work and what it would do for America.

Mr. DELANEY. I will do that.

Thank you, Mr. Speaker, for allowing us this time this evening.

And I want to thank my good friend and colleague from California for organizing our discussion here this evening and his work on Make It In America. It's important work, and it's work we, as a Congress, should be focused on.

I think my colleague from California knows that I'm very passionate about the infrastructure investments that we need to be making as a country. I, quite frankly, believe it's our number one domestic economic policy challenge and opportunity, and I say that for three reasons:

First, it is the easiest way to get Americans back to work with jobs that have a good standard of living, which should be one of our main focuses as a Congress.

Second, making a smart and significant investment in our infrastructure, in our road and transportation infrastructure, in our logistics, in our communications and in our energy and water infrastructure, making a smart and significant investment in this infrastructure will improve the overall competitiveness of the United States, which is the number one thing we should be focused on when we think about our future in the context of a global and technology-enabled world.

The third reason I favor infrastructure investments is because they pencil out; in other words, the data overwhelmingly suggests that an investment in infrastructure has a very, very good payback to the economy.

Just to put the infrastructure situation in this country in context, I want to cite a recent report done by the American Society of Civil Engineers; and they do a survey of our infrastructure every 2 years. The report recently came out and they provided us a grade. They actually grade each component of our infrastructure. Our cumulative grade as a country—and remember, this is the wealthiest, most successful country in the history of the world. Our cumulative grade for our infrastructure was a D-plus. And the civil engineers estimate that we have to make an investment of at least $2 trillion to $3 trillion to bring our infrastructure up to a grade that we deem successful—$2 trillion to $3 trillion.

In addition, there's an argument that the existing investments we make in infrastructure, even if they were to be increased, the programs that we have, the very, very important infrastructure programs we have as a country, like investing or making sure the highway trust fund is funded at the level that's appropriate and consistent with historical averages, even if we were to make these investments, which I clearly believe we should and I know my colleague from California believes we should, there's still a very strong argument, or the data would suggest, that we will continue to accumulate an infrastructure gap. In other words, the amount that we need to invest in our infrastructure to make us competitive will continue to grow. And so this is a very, very significant problem.

And to put this problem in further context, we need to remember that infrastructure is services and investments for the common good. They're public services, and they're historically made by governments, the Federal Government, the State governments and local governments.

And we all know that governments are under fiscal pressure right now. Both our Federal Government and our local governments are under pressure. So we need, as we think about investing in our infrastructure, to not just be funding the existing programs that we have up to the levels that they deserve to be funded at—and that should be a main priority of this Congress—but we also need to be thinking about new and creative and fiscally sensitive and sustainable ways of investing in our infrastructure across the long term.

Our infrastructure problem is a multidimensional problem, meaning there's lots of reasons we have this problem, so we need numerous tools to solve the problem. And one of those tools, I think, exists in legislation that's been filed that we led—it was filed several weeks ago in the Congress—that right now has 18 Republican and 18 Democratic cosponsors, so it's truly bipartisan legislation. We also have 25 groups that have supported the legislation, outside groups representing both parties typically in the terms of their orientation.

The Partnership to Build America Act creates the American infrastructure fund, which is designed to be a large-scale infrastructure financing capability that can finance many of the projects my colleague from California will talk about tonight, Mr. Speaker. But what's important about the American infrastructure fund is it's funded without any appropriations from the government. Instead, it's funded by providing corporations with an incentive to invest.

Under the Partnership to Build America Act, the American infrastructure fund is capitalized with $50 billion of capital. The capital comes from the fund selling bonds that are not guaranteed by the Federal Government. They are long-term, 50-year, and they pay a 1 percent interest rate, so they're very attractive, low-cost capital that, if put into the American infrastructure fund, will allow it to provide $750 billion of loan guarantees to local governments and direct loans, if necessary, to local governments—$750 billion of funding capacity.

Over a 50-year life, we expect that money to turn two to three times, and so that could be up to $2 trillion of financing without any appropriations from the Federal Government. The $50 billion that capitalizes the American infrastructure fund comes from selling these bonds not guaranteed by the Federal Government, 50-year bonds, 1 percent interest.

As an incentive to get companies to buy these bonds, we're proposing that they get a tax break on their ability to repatriate their overseas earnings.

We've all talked about the issue we have with our Tax Code and how it's created a situation where U.S. corporations are accumulating significant amounts of cash overseas. Under the American infrastructure fund, they have a way of bringing back up to 10 percent of that capital in a way that we know will create American jobs by investing in our infrastructure.

So we put forth the American infrastructure fund as a solution to the problems that my colleague from California is discussing, as an innovative financing solution to deal with the infrastructure problems that this country has, and to do it in a way that's additive to the existing programs that exist and can be done in a way that is fiscally responsible in light of the fiscal pressures that the country has.

So this is some of the work that we've been doing in our office to advance that important work that my friend from California is talking about this evening.

Mr. GARAMENDI. Mr. DELANEY, that is a fascinating way of bringing capital to this program. California has numerous high-technology companies, Apple and many, many others. All of them come to us, representatives from California, and they complain about the repatriation. They'd like to bring those earnings from overseas back to the United States. They've got maybe $1 trillion sitting out there, if I recall the number. Maybe that's about—I don't know. Whatever the number is, a lot of dollars. They want to bring it back, but they don't want to pay the 35 percent corporate tax.

So you're suggesting that they could bring that back in a way that they wouldn't face that tax, but the money that came back would be—at least a portion of it would be used to finance this infrastructure bank.

Have I got this pretty much correct here?

Mr. DELANEY. That's right. And the estimates are up to almost $2 trillion of cash.

Mr. GARAMENDI. I understated it. Two trillion dollars sitting offshore.

Mr. DELANEY. Two trillion dollars. And that reflects a significant problem with our Tax Code, which we'll reserve for another session for discussion.

Mr. GARAMENDI. That's this thing called taxes, number 2 up here.

Mr. DELANEY. Exactly, which is a long discussion.

But under the Partnership to Build America Act, the American infrastructure fund is capitalized by selling $50

billion of bonds, and we sell them to corporations; and they're not guaranteed by the Federal Government, so there's no taxpayer risk. For every dollar of those bonds the company buys, they can bring back a certain amount of their overseas earnings. We estimate that to be 4 to 1, but it's actually determined by an auction that will be done by the fund.

So if $50 billion of bonds are subscribed to by some of the companies in your State, some of the companies in my State, Maryland—because the district I represent, part of the district I represent, Montgomery County, Maryland, has the 270 transportation corridor that is filled with information technology companies and biotechnology companies very similar to the kind of companies that are in your district, so some of them may be from Maryland as well.

□ 2045

But if they buy $50 billion of bonds, then they can bring back $200 billion from overseas tax free.

The bonds, again, are nonguaranteed by the government, 50-year, 1 percent interest. So they're not an attractive investment. The ability to bring back that money tax free is the incentive for them to do it. They get to bring back money and invest it in our economy. We get $50 billion to capitalize a fund that could provide $2 trillion, provide the capital base to provide $2 trillion of financing over 50 years without any cost to the taxpayer.

So I think you summarized it perfectly.

Mr. GARAMENDI. I think you did. I was trying to grasp the totality of it. It is a process in which now this is a piece of legislation; it's here in the House. I would hope that our colleagues on the Republican side that control the passage of legislation, even the taking up of legislation in committee, would look at this and go, oh, you mean we can actually build $200 million or $2 trillion of infrastructure over a 50-year period without any appropriation, with no taxpayer dollars, other than some amount that's foregone in the repatriation.

Very interesting, a very, very exciting proposal; and I would hope we take it up.

I am sure that there will be questions about, well, who gets the money, who decides which projects are going to be selected.

Mr. DELANEY. Right. Under our legislation, the States make the determination. The American Infrastructure Fund has to develop an allocation process that every State has an allocation based on their economic science.

Mr. GARAMENDI. California being the most populous State——

Mr. DELANEY. You would have the largest allocation.

Mr. GARAMENDI. Oh, I like that already.

Mr. DELANEY. Yes, I knew you would enjoy that feature of the legislation.

But in all seriousness, we have good bipartisan support. I have 20 of my Republican colleagues on the bill with 20 Democratic colleagues; 18 are on it officially right now. We have received very constructive feedback from all of my colleagues. They have all worked to make the legislation better. We are looking forward to continue to build good bipartisan support. I think we both know that when the private sector and government work well together on economic challenges we get very good economic outcomes.

I want to thank you for giving me this time.

Mr. GARAMENDI. Mr. DELANEY, thank you very, very much. Obviously, Maryland is very well represented with some innovative thinking from their Representatives.

Infrastructure banks are not new. This is a new way of financing it, and a very exciting one. Thank you so very much for joining us this evening.

Mr. DELANEY. We all build on each other's ideas.

Mr. GARAMENDI. We will continue to work on this, and we will talk about it again in the future.

California is the most populous State. I didn't say ''popular,'' although I would certainly say that. Texas being the second biggest in geography.

We now have our new Representative from Texas joining us, Mr. CASTRO. Thank you so very, very much. Texas likes to talk about all the good things they are doing. One good thing they did was to send you here. So, Mr. CASTRO, please join us and talk to us about Texas and infrastructure.

Mr. CASTRO of Texas. First of all, thank you, Congressman, for your leadership on this issue and on this legislation Make It In America. Thank you to Congressman DELANEY for all of the work that he's doing on infrastructure.

In Texas, infrastructure obviously is very important to us. We have a State that, obviously, is incredibly large in land mass, second only to Alaska. We have, for example, the most number of bridges of any State in the Nation, miles and miles of interstate highways and roads.

So I stand here tonight with you to reaffirm the point that we must never neglect our infrastructure of transportation; building out our roads, our highways, our waterways, our mass transit systems, making sure that Americans can get to where they want to go by air, by land, by sea. We must make sure that our infrastructure of transportation keeps up also and is competitive with that of places in Europe and in Asia, particularly for commercial purposes.

But also, Congressman, I wanted to point out that just as there is an infrastructure of transportation, there is in America another kind of infrastructure, and that is an infrastructure of opportunity that allows each of us to pursue our American Dreams. So, for example, just as there are streets and highways that help us get to where we want to go on the road, there is an infrastructure of opportunity in America that allows us to get to where we want to go in life. That infrastructure of opportunity would include, for example, great public schools and universities, a strong health care system in an economy that's built around well-paying jobs so that people can support themselves and their family members.

In fact, when we ask the question here in Congress: What is it that distinguishes America from among the nations of the world, I would argue that it is the fact that over the generations, Americans have come together to build out that infrastructure of opportunity that allows each of us, no matter our race, our class, where we come from, allows each of us to chase our American Dream.

I think all of us understand, and I think you would agree with me, I have never met any American who has asked for a guarantee of success in our Nation. Folks don't ask for a guarantee of success. What they ask for is the opportunity to pursue that success. So we must continue building not only the roads that we need and the highways, but also the great schools and universities, a strong health care system, and as you mentioned, with the American Jobs Act making sure that Americans can go to work and support themselves and their family.

I will just wrap up with this. There has been a lot of debate around here, and I know in the last hour there was, about immigration. There is a big debate about how to handle our immigration issue. That is a challenge and has been a challenge for this Congress.

But if you put aside the debate over what to do with folks who are here, whether it is visas or permanent legal residency, whatever it is, and we just ask ourselves, why is it for a few hundred years now that America has been the destination Nation for people from literally every corner of the Earth, why is that, I would argue it is because we have built up a place, a society of opportunity where people can pursue their dreams.

Congressman, I think you would agree with me, in all of the immigrants I've met, whether they came from Europe or Asia or Mexico or somewhere else, I've never heard anybody tell me that the reason they came to our country was because they were looking for the lowest corporate tax rate. People, in fact, come here because they are looking to be part of a system of opportunity that as Americans we have built up together. We must make sure, all of us in Congress, working as Republicans and Democrats united for our country, make sure that when somebody asks 50 years from now or 100 years from now, where is it on Earth that people want to be, that the answer is still ''the United States of America.'' We must build out the infrastructure of transportation and the infrastructure of opportunity to achieve that answer.

Mr. GARAMENDI. Mr. CASTRO, thank you so very, very much. Often, in fact,

I've talked about infrastructure in a physical way, that is, the physical features of roads and water systems. But your discussion of infrastructure being the infrastructure of opportunity, which does include those things, it also includes this one, which is education, a critical element in the process of education. If we are going to build infrastructure of opportunity, this is where opportunity starts for virtually everybody in this country: the opportunity to get a good education.

Part of that is the physical building itself. Obviously, it is the teachers, the way in which the subjects are taught, and access, access to not only K through 12, but also higher education. This is one of the things that when we talk about physical infrastructure, we need to talk about the classroom itself, about the facility, air-conditioning, as well as the communication systems, computers and other kinds of communication systems.

So the infrastructure of opportunity, what a wonderful theme, what a wonderful way of describing America and this discussion we've heard before we came on the floor about immigration. You could not be more correct.

Mr. CASTRO of Texas. Thank you, Congressman.

I would point out, for example, in Texas, we have our challenges. In California, for example, you have nine research universities, which are the top-tier universities. In New York, they have about seven. In Texas, we only have three right now, so we have a long way to go to catch up.

We are trying to catch up. In fact, there was a bit of good news. Governor Perry today signed a bill that would merge two schools, two colleges, two universities, in what is known as the Texas Valley in south Texas, and ultimately will create a medical school.

That is very important for a few reasons. I want to use real quick this example in the Texas Valley in south Texas along the Texas-Mexico border, which is often in conversation here in Congress. It is a place of about between 1 million and 1½ million folks, very hardworking people, wake up early in the morning, go to work, put in a hard day's work without complaint, and then go home to their families, often go home and say prayers of thanks to God for what He has given them.

In that area known as the Texas Valley, cities like Edinburg and McAllen and Weslaco and Brownsville, did you know that you still can't get a medical degree anywhere in that area, anywhere south of San Antonio, my hometown? You can drive the 4 hours between San Antonio and the Texas-Mexico border and not be able to get a medical degree. You can't get a law degree anywhere between San Antonio and the Texas-Mexico border. And there are only a handful of Ph.D. programs.

So when I speak of missing pieces, literally, of the infrastructure, to me the Texas Valley is one example of that. I know many folks like Congressman HINOJOSA, Congressman CUELLAR, Congressman VELA, they're working very hard to change those things; but those changes have been slow in coming.

I will also point out with regard to the infrastructure of transportation, which is part of the infrastructure of opportunity, something that is also missing. For example, when you try to drive—my fiancee is from a small town called Alton, Texas, right near Mission, a few miles from the Texas-Mexico border—when you drive from San Antonio down to the Valley, you drive those 4 hours or so and there is no continuous interstate highway that you can take without stopping in town after town.

So you can imagine what that means to a traveler, but even more so what it means for commercial enterprises, for our businesses that are trying to do trade, trying to get their goods to Mexico, or importing their goods from Mexico. Those things are very, very important; and we've got to continue to do this great work that you've been a leader on.

Mr. GARAMENDI. I thought for a moment you were going to go into more detail about your own personal emotions as you stop in every one of these towns on your way to see your fiancee, but we'll let that go for another time.

Mr. CASTRO of Texas. Well, I've got a story tomorrow. I think I'm going to join the folks about immigration on the immigration issue and what I've learned visiting those places.

Mr. GARAMENDI. There's much to learn about that. But, again, if you go back to our Make It In America agenda, these issues, the labor market and education, fit into that infrastructure of opportunity.

I've always said that if you're going to build an economy and have social justice, there are five things you must always do:

First, you must have the best education system in the world that's available to everybody so that they can climb that ladder, as you were saying earlier, that they have that opportunity;

Second, that you have a great research system, and we do. Actually, we have 10 campuses of the University of California. Some of the State universities are now picking up some of the research agenda also. But anyway, the research;

And then you need to make things coming out of that. That's the manufacturing. And that may be a computer program, or it could be an automobile. But you need to be making things, adding, creating value;

The infrastructure being the fourth;

And the fifth being you've got to be willing to change. You can't do what you did yesterday; you need to deal with things of tomorrow.

There are many other pieces to this. We talked a little bit about education here and the way it works.

This was a statistic that was given earlier. Mr. DELANEY went through this very quickly. But for every dollar you invest in the physical infrastructure, you are going to get back immediately about $1.57 as that money churns through the economy as the concrete is purchased, as it is put in place, men and women are doing that work, and then that churns back through the economy, actually giving great stimulation to the economy. Not our words. These are Mark Zandi's words, the chief economist of Moody's Analytics.

This is a very, very well-known thing. So if we want to really move the economy, we can take Mr. DELANEY's idea about an infrastructure bank, not an appropriation, invest and put people to work and give a boost to the economy; and in doing so, you also create better tax flow into the government.

The other thing, and this is something that I know Texas is working on, as is California, and that's rail transportation. If I recall correctly, Fort Worth is the headquarters of BNSF Railway. This is just a picture of a new Amtrak train that was manufactured in Sacramento. Part of the infrastructure investment that is now being made here in the Northeast Corridor between Washington and Boston, this new train is 100 percent American-made.

Back in the stimulus bill, about 80-some trains were proposed to be purchased, about a half a billion dollars, and they wrote into it ''must be American-made.'' So Siemens, a German company, came to Sacramento where they had a light rail shop, decided they could build a heavy-duty locomotive and make it 100 percent American-made.

□ 2100

So this one is now being tested—the first model out—and there will be some 80 of these on the Northeast corridor, increasing the speed, the movement, the transportation system. For all of America, rail transportation—light rail, heavy rail, and even high-speed rail—are ways in which we move our physical transportation, and if we cause those products to be made in America, we also increase our manufacturing base. Again, it's part of the American program of making it in America by using infrastructure.

Mr. CASTRO of Texas. I think you're absolutely right on that. For example, Congressman GARAMENDI, last week, San Antonio received word that, in a year, our exports went up 33 percent. There was a 33 percent increase in exports.

Mr. GARAMENDI. From the city and region of San Antonio.

Mr. CASTRO of Texas. In San Antonio. Coming from San Antonio. So these channels for getting our products to different markets are absolutely vital to continuing that success.

Mr. GARAMENDI. There are so many different things that we could talk about in this process.

This is a piece of legislation that, actually, I've introduced for the last couple of years. This particular piece of

legislation, H.R. 1524, says, if it's your tax money—the American taxpayers' money—then it ought to be used to purchase American-made equipment. That's exactly what happened with the earlier stimulus bill in the manufacturing of these locomotives in California, but there are some 200 different suppliers all around the Nation who are supplying that.

We can really boost the economy in the transportation system but also in the energy system—solar, wind. All of those are subsidized, as is oil and coal, with American taxpayer money, either with a tax credit or a subsidy or a direct payment, and if we said, Okay, but you must produce that product in America—as with the wind turbines, make them in America, as well as similarly with solar panels and other kinds of equipment. So these are all things that fit into this.

The theme that you hit on early on, I think, is so very, very important, and that is the infrastructure of opportunity. I really like that. I think that, as we go about our business here of passing laws or not, we ought to keep in mind that our task is to create that opportunity.

Mr. CASTRO of Texas. I think, Congressman, when we think about issues that come up here, issues that sometimes succumb to the gridlock that is Congress these days—for example, on the student loan issue—that's why it's so important that we make sure that we do right by students and not allow that student loan interest rate to double. In these tough economic times, it's hard enough for families to scrounge up the money to help send their kids to college and for the kids to work a job or two and go to class. They're often in this work-school tug-of-war where many of them work part-time or full-time and at the same time take their 15 hours or 12 hours to graduate in a decent number of years. The least that Congress can do is make sure that we set a student loan rate that is affordable and reasonable for the economic times that we live in.

Those things are not handouts. Those are investments to make sure that you've got a well-educated population. These are loans, after all. They're paying these back. It's also, I think, their government saying, Look, we're going to lend you this money at a decent rate—we're going to make sure it comes at a reasonable rate—and you're going to pay it back to us, but from that, we're going to get folks who are engineers, who are police officers and firefighters and doctors and all of the things that keep our society moving and keep this country the greatest Nation on Earth.

Mr. GARAMENDI. Mr. CASTRO, you put that so very well. It's a critical investment that the American public makes in the next generation so that this economy can move forward.

There is also—we've been debating this on the floor—a bill that passed out of here that would set the student loan interest rate as a variable rate, much like a home mortgage variable rate. Watch out, as we know what happened with the variable rates that went on. It was interesting that that particular bill would actually create income, a large amount of income if I remember the numbers—some $30 billion over the next 10 years of income. So it was like wait a minute. Are we really just doing this to get the money back or are we looking at this as a profit center? I think it was a serious mistake, first, to do a variable interest rate. That would move it up, quite possibly, to more than what the doubling of the 3.4 percent would be to, maybe, 8, 9 percent, 10 percent. Bad idea—and it's looking at the problem incorrectly.

The way to look at it is just as you said. This is a way for the American public to make an investment in a student at a low-interest cost to the student but sufficient to repay the Federal Government, not as a profit center but as a repayment. There are some administrative costs to be sure. That's how we ought to look at this because it is a crucial investment, the most important investment of all—the educational investment.

Mr. CASTRO of Texas. I couldn't agree more.

Just personally, I started college in the fall of 1992—21 years ago now. In 1991 or 1992, my mom made less than $20,000, and she was getting ready to send two twin sons—of course I have my brother—off to Stanford University in northern California. You can imagine how daunting that was, but there is no way that my brother and I could have gone to college and graduated without student loans—without Perkins loans, without Stafford loans. It was the same thing for law school. So these are vital. I mean, that's just my own story. There are literally millions of stories like that across the country.

Mr. GARAMENDI. And a very sound investment was made in you and your brother, who I believe is the mayor of San Antonio.

Mr. CASTRO of Texas. That's right.

Mr. GARAMENDI. Indeed.

There is much to be said. I'm just going to share with you, and perhaps you have a similar situation from your own experience.

This weekend, I was back in my district in northern California, in Yuba City and Marysville. Now, the Feather River, which is one of the major rivers—tributaries—of the Sacramento River, goes right between these two towns, with Marysville on the east side and Yuba City on the west side. This is one of the most dangerous places in America. The Feather River and the Yuba River, which come together at that place, have a long history of deadly floods. What the citizens need there is the help of the Federal Government to complete the levee and enhance the levees around their communities.

We had a major debate here on the floor last week with the Energy and Water bill in which the Ryan budget—that is the Republican budget—was seen in its fullness for the first time. What that budget called for was a diminution—in fact, a very, very significant cut—in the infrastructure investment for the Army Corps of Engineers. The Army Corps of Engineers builds the levees, the locks and other major public works. Sequestration took $250 million of construction out of the Army Corps of Engineers, and right now construction projects that were scheduled are not taking place. In addition to that, the proposed budget in the actual appropriation bill even further reduced the money available to the Army Corps of Engineers to build the levees to protect communities all across the United States. At the very same time, money was shifted from the Corps of Engineers—from the levees and the things that are necessary to protect American citizens and others who are here from devastating floods—to build more nuclear weapons.

What in the world is that all about?

We've got 5,500 nuclear weapons now. The money was shifted. They all worked, and there is no way we would ever use all of them unless you want to end life on the Earth. Yet that was a priority issue—nuclear weapons versus levees to protect Americans. It is the wrong priority, but it is a fundamental example of the infrastructure needs and the wrongheaded priorities that sometimes find their way into legislation.

Unfortunately, that bill passed. That is the statement of the House of Representatives. Now, every Democrat voted against it, but it did pass the House. That now will go over to the Senate, and the Senate, I am sure, will never set that priority the same as this; but in a conference committee, we are now looking at a tug-of-war between nuclear weapons and levees to protect Americans. Hopefully, the levees will win. We'll see. That's one example.

When I went home this weekend, people asked me, ''What was that all about?'' I said, ''That was about bad priorities and an austerity budget working together.''

Mr. CASTRO of Texas. We know, of course, Congressman, that the sequester was taking a meat cleaver rather than trying to do real smart cuts, so I agree with you on that.

With respect to the work of the Army Corps of Engineers, the important work that they do, it is often felt in San Antonio and in Texas, of course, during everything that happened with Hurricane Katrina in New Orleans and all of the important work they had done around that. So you're right. I think that Americans expect that they will be in homes that are not going to flood and that there is going to be infrastructure in place to make sure that water doesn't come up and run them out of their homes and ruin their homes and their properties.

Mr. GARAMENDI. Also, without adequate levees, you clearly slow down economic development.

Now, not every city has a flood problem; although, certainly, in the great Midwest, you see this in all of the cities along the Missouri and the Mississippi and Ohio Rivers. So, in that entire huge basin, which is more than 60 percent of the United States, there are serious flood issues. This extends—and certainly we see it on the east coast—to Superstorm Sandy, and you mentioned Katrina. All across this Nation the issue of flood protection is critical.

In my own district, Sacramento, there is a portion of Sacramento that, I think, is now rated as the most dangerous city in the United States. It is the Natomas area of Sacramento. With the rebuilding of the levees in New Orleans, I think now Natomas, Sacramento, is rated as the most dangerous. We are talking about a flood situation that could occur, because the levees are substandard, in which the river would break. We have floods in the winter, so the water temperatures are in the 45- to 50-degree temperatures. If that were to break, the inundation would be immediate, and it would be 20 feet. The survival time is measured in minutes, not in hours. When that water hits you, you get hypothermia and you're dead.

So it is an extreme problem. We need to rebuild those levees. The community is taxing itself to a fare-thee-well to do it, but the Federal Government is backing away from its previous commitment. The rest of the story is that the economic development potential in that community is stifled. It's not just housing. It's all kinds of economic development, as the Sacramento International Airport is in that area.

With the lack of money to build the levees, human life is at risk—several tens of thousands of people—and economic development. So these things come together—infrastructure being the foundation upon which the economy grows and, in some cases, certainly in the case of levees, upon which people's lives depend.

Mr. CASTRO of Texas. You make an important point about neglect of that infrastructure, not only with levees and with waterways, but you and I are both aware, as is the country, of the tragic examples over the last several years—in Minnesota, for example, in the bridge collapse, and more recently in Washington, I believe, in that bridge collapse. Those are lessons to this Congress that we cannot neglect our infrastructure. It is vital. I mentioned Texas. By that same report that Congressman DELANEY mentioned, we have about 1,300 bridges that have been declared functionally obsolete. That's 1,300 functionally obsolete bridges in Texas. That's one in six. So those are things that we've got to attend to here.

It also begs the point: whether it's building out the infrastructure of transportation or building out the infrastructure of opportunity, that doesn't happen by itself. It doesn't happen by accident. It doesn't happen by luck. The United States Government and the Congress must make those smart investments. We must continue to make those investments if we are going to be the land of opportunity not just 5 years from now or 20 years from now but 50 and 100 years from now.

Mr. GARAMENDI. I think it's about time for us to wrap up, but I want to engage the public. I don't know how many people are watching C–SPAN this evening. I would like to think there are some 300 million, but I suspect that's overstating it a ways.

I would ask the public to comment to you and me about their infrastructure in their communities. What do they need in their communities? How do they think it could be financed? As to Mr. DELANEY's proposal for an infrastructure bank based upon the repatriation of foreign earnings, does that make sense?

□ 2115

Does it make sense to do what the President said, which is to appropriate $50 billion right now to build infrastructure? There are many different alternatives.

But I'd love to hear from the public, and here's how they can do it. I'm going to use yours down here too. Stay in touch, stay informed, stay connected. You can go to Facebook.com/RepGaramendi or RepCastro. Either way, RepGaramendi, RepCastro. Twitter: Twitter.com/RepGaramendi or RepCastro. Or you can go to our Web site, Garamendi.house.gov.

Mr. CASTRO of Texas. Well, my Twitter, the House one, that's right. It should probably be JCastro.

Mr. GARAMENDI. I think there's more than one Castro. There's only one Garamendi around. So probably JCastro.house.gov. That's the Web site, and they can get in touch that way and keep informed.

So I welcome people. If anybody out there is watching this discussion about infrastructure, how it can be financed, why it's important, what it means for economic development, education, what it means for social justice and opportunity—if you like the theme, the infrastructure of opportunity, you can contact me and I'll pass it on to Mr. CASTRO, or you can go directly to JCastro@house.gov or Facebook.com/RepGaramendi, RepCastro.

I want to thank you, Mr. CASTRO and Mr. DELANEY, for joining me this evening.

Next week we'll take up one of the other issues that we have. We'll probably talk next week about energy and how we can improve the energy situation to meet the climate change.

GEOTHERMAL ENERGY

Mr. GARAMENDI. I do have one more thing that I really must do before I close down, and that is talk about geothermal energy and one of the communities I represent, Lake County.

We have a critical natural resource opportunity in this Nation, and it's beneath the soil, beneath the ground. It happens to be the heat of the Earth. It finds its way to the surface in many places around the world, and it certainly does in my district in Lake County.

That heat comes from the geothermal, and it is an extraordinary natural resource and it is clean energy. It's one of the most abundant natural resources that can be found anywhere, and it's often overlooked. It has the ability to become one of the key future sources of energy. We'll talk about it much more next week.

But I do want to talk about its use here in the United States. It is environmentally friendly. Dry steam and flash geothermal plants emit just 5 percent of the carbon dioxide and less than 1 percent of the nitrous oxide of traditional fossil fuel coal-powered plants. The binary geothermal installation emissions are near zero. More importantly, geothermal energy is cost effective.

Over the last two decades, the cost of generating geothermal power has decreased by 25 percent. Additionally, geothermal can be produced domestically. In California, the Imperial Valley, the Lake County area, are two of the most used geothermal resources. Nevada has enormous resources, and there are many other places within the United States. And it can be sent—the same resource is available in many parts of the world. So we as a world and certainly as a State and Nation ought to be moving more aggressively to harness our geothermal resources.

It's also a good jobs place, creating more than $117 million in annual wealth in the geothermal region of Sonoma, Mendocino, and Lake Counties.

It's also a tax source. Lake County and Samoa County receive over $11 million in annual tax revenues directly from the geyser's geothermal field. And Lake County has saved millions of dollars in the disposal cost by funneling 8 million gallons of wastewater back into the ground for the harnessing of geothermal resources.

So I draw the attention tonight of the Nation to the potential of geothermal and the success that it's had in my district in Lake County and in my neighboring county of Sonoma.

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

IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. DUFFY) is recognized for 30 minutes.

Mr. DUFFY. Mr. Speaker, tonight, we want to have a conversation about immigration and immigration reform because we recognize that in 1986, when Congress and the President came together for immigration reform, it didn't work. It didn't work for immigrants; it didn't work for our border; and it didn't work for America. Just recently, we've seen that our Senate

has come forward with proposed legislation, and that too doesn't work. It's a proposal that doesn't secure our border. It's a proposal that won't work long term for America.

We're here to address the problems that we face in this country with real solutions that work for people and work for our country. We're here to say that we're with you. If you want to work hard and you want to contribute to our American economy, we're with you. If you want to obey our laws and if you want a shot at our free enterprise system, we're with you. If you believe that America has a right to secure her borders, to know who's coming in and out of our country, we're with you. If you want to pay taxes and pledge allegiance to America, we're with you. And if you want your shot at the American Dream, we're with you.

We're a party that looks at the big problems in our country, and we come out with big solutions to fix those problems. We're not a party of ''no.'' We are a party of solutions. That's why I'm honored to be here tonight with a few of my fellow colleagues to talk about the solutions in regard to immigration, solutions that are going to work. And that' why I'm honored right now to yield to the gentleman from Illinois for his thoughts on immigration.

Mr. KINZINGER of Illinois. Mr. Speaker, I thank the gentleman from Wisconsin for organizing the time and bringing us all together. This is an important discussion.

When I think back to somebody who's a big hero of mine, Ronald Reagan, I think back to the eighties, of course, and I think of what Ronald Reagan talked about. He discussed America as a shining city on a hill, a city that everybody around the globe looks at and says ''I want to live there.'' Or they look at the United States and say, ''that is a country that I want my country to look like.'' That's frankly the Republican Party.

And I understand that over the last few years, the Republican Party hasn't necessarily done a great job of messaging that. That's our fault. But I look at somebody like Ronald Reagan, and I look at the vision he has put out for America and I say, You know what? That is the Republican party that I joined. That's the Republican party that I believe in, the party that believes that a kid in the inner city of Chicago should have the same opportunity as a kid raised in the best suburbs of Chicago. That's what we believe.

So when we talk about this really controversial issue of immigration—you have Americans on both sides of the issue, and Americans that have gotten ginned up on either side of this issue that are speaking to this with anger—I think something we have to do as a Nation and something that I think we need to do here right now is to say, Let's have this conversation about immigration, but let's do it in a way where we can discuss what America wants to be and what America is about and how to give most people around the world the opportunity to be in America.

I think most Americans would agree that the first thing we have to do is ensure that we have a safe border, not only just because of the idea of immigration and ensuring that we have a system that works for everybody, but because—look, on a porous border you have an opportunity for terrorists to come through with weapons that we don't want in the United States of America. We've seen in our schools—I visited a place called Rosecrance the other day in Rockford, Illinois, that has teenagers that are suffering from drug addiction. Do you know what the cheapest drug they can get a hold of is now? You'd think maybe marijuana, right? It's actually heroin. Do you know where most of the heroin is coming through? It's coming through the border of Mexico.

So I think when we talk about border security, we're not talking about it in an angry way. We're just saying as a sovereign Nation, we have a right to determine our immigration policy, and you can't determine immigration policy with a porous border. Once we do that, once we have honest border security and we're honest with the American people, then we have to have this discussion about how do we passionately and compassionately deal with folks that want the American way, as well.

That's a conversation I'm looking forward to having tonight over the next few minutes. And as we move on, I'd like to yield to the gentleman from Colorado, a great Member of Congress, Mr. CORY GARDNER.

Mr. GARDNER. I thank the gentleman from Illinois.

Mr. Speaker, we're all together on the same issue tonight on the House floor as we discuss the important issue of immigration inform. Many of us elected in 2010 and elected in 2012, we came to Congress because we wanted to find ways to make America work, to get this country working again, to find ways to get government out of the way and create an economy that's strong and growing so people can find the jobs that they want to help feed their families, to send their kids to school without putting themselves into bankruptcy, and to make sure that we do indeed have a better tomorrow than we do today.

So it is starting with those fundamental beliefs that we all came here to achieve, to build a stronger country, to make life work for the American families, that we recognize a Nation of immigrants, a Nation that provides an opportunity for people around the world, that beacon of hope to be a place for families to succeed, to achieve their dreams about the American Dream and indeed the American spirit.

So it is through those very values of compassion for the poor, compassion for people who want to build a stronger Nation here at home, and the fairness that we know we can do it with to build a system of laws that will stand strong not just for 1 year or 10 years or 20 years, but moving forward beyond that, a system of laws that we know will make sure that people who want to be a great part of a healthy American economy indeed have that very opportunity.

Tonight, as we kick off a discussion on immigration and we join people around the country who have differing opinions, as the gentleman from Illinois recognized, differing opinions on what to do, how to do it, when to do it, recognizing, though, that indeed we must do something to address a system that is broken in a way that meets those objectives of American values: compassion, fairness, and maintaining the rule of law in this country.

I look forward to our conversation tonight, and I look forward to solutions for the American people that we can all be proud of, knowing that this is not going to be an easy task, but one that we will address with all due and necessary urgency.

We are joined tonight by our colleague from North Carolina (Mr. HUDSON).

Mr. HUDSON. I thank my colleague, Mr. Speaker. It's an honor to be here tonight.

I'm a new Member of Congress. I was elected just last year. I ran for Congress the first time I had ever run for office because I want to come up here and fight for people, because there are folks back home that are frustrated, they feel like their government is not being responsive to their needs. So I'm here to represent them and be a voice for those people.

I think of the homebuilder in Monroe, North Carolina, who told me he's just struggling to keep his head above water and he'll take any kind of work just to keep his crew intact so he can keep them together. He'll do remodeling work or anything. He's not even worried about profit so much as being able to keep afloat.

I think about the families across the Eighth District of North Carolina who are looking to us for solutions. That's why I'm here tonight to join this conversation, to talk about immigration reform. The key to immigration reform, as far as I'm concerned is, we've got to look at compassion and we've got to look at fairness.

When it comes to fairness, we are a Nation of immigrants, but we're also a Nation of laws. So we've got to make sure we're enforcing the law in this country and we're respecting the rule of law when we're looking at making changes to immigration policy.

We also need to look with compassion on those who have come here to the United States seeking that American Dream when we try to determine what we're going to do going down the road.

But I think the key to this is the approach we're taking here in the House

of Representatives. The Senate has passed an immigration bill. It's a bill that was cobbled together behind closed doors. It was a bill that in my opinion went too far too fast. We're taking a much more thoughtful approach here in the House. We're going to go through the committee process. We're going to bring legislation to the floor so that we can debate these key issues affecting immigration as single issues and let the American people take part in this conversation and tell us what they think about issues like border security.

Now, the key to immigration reform in my opinion is we've got to secure the borders first, and any legislation that we pass out of this Chamber, any agreement we make with the Senate on immigration, we've got to have a trigger so that no other pieces of this immigration puzzle fall into place until we've got that border secure. So we're going to work hard to make sure that's part of our solution.

There are actually five pieces of legislation that have already passed out of the Judiciary and Homeland Security Committees. I serve on the Homeland Security Committee. We passed the Border Security Results Act of 2013.

□ 2130

What this does is it requires the Secretary of Homeland Security to develop a comprehensive strategy to secure the border. What a radical concept: let's actually have a plan. And so what we're saying in the House is: give us a plan. We want the Department of Homeland Security to work with the border sheriffs to come up with a plan to secure that border and come back to Congress and say, here's what we need. Here's the sections where we need fences. Here's the other types of technology, whether it be drones or other types of technological monitoring. These are the pieces of the puzzle we need to secure the border.

And a key to this is we have to have a metrics so we can measure whether the border is secure or not. Currently, we know the numerator, but we don't know the denominator. We know how many folks we're stopping coming across the border, but we don't know how many we aren't rounding up. And if you talk to any of the border sheriffs, you'll know that we're not anywhere close to being secure. So that's a key component of this legislation.

I look forward to talking more about some of the legislation that came out of the Judiciary Committee, some of the pieces of this immigration reform puzzle that we need to discuss.

Mr. KINZINGER of Illinois. I thank the gentleman for your statements and everybody here for your statements. I am a member of the International Guard. Just 2½ months ago, I actually did missions on the border between Mexico and Texas. I fly a reconnaissance airplane, and the goal was to look for folks who had crossed illegally. In most cases, we were looking 60 miles into Texas. We were finding dozens of people. Each time we would look somewhere, we'd catch 60 to 100 a night.

I felt bad for the folks who were hunkered down, who had crossed the border that were told by some coyote that they paid their entire life's saving to, told by some coyote that ushered them over that once you step foot in America, you'll be just fine. And then they realize that the journey actually begins. What you'd see in many cases was the Border Patrol, who do very tough, hard work, would apprehend most of these folks. In some cases, a couple of them would scatter, and they'd be left alone. They'd be left 15 miles away from the nearest town, with no water, with no food, and with no idea where to go.

I think of that, and I think of the administration saying the border is already secure. I think what that leads to is there is an epic lack of trust in Washington right now. That's why actually the four of us came to Washington, because we recognize there's a huge lack of trust in D.C.

So this idea that we're going to say from on high in Washington, we're going to just deem the border secure at some point, when the administration has already deemed it secure, is I think where the lack of trust is and why there's so much emotion tied into this. I think this is a beginning step in having a great discussion about how to actually tackle this problem in a way that both sides can agree with and that is fair to the American people and to folks who want to live the American life.

Mr. DUFFY. It is that very point. It is that lack of trust with the American people and Washington, D.C. That's why we want to go through a step-by-step approach, analyzing immigration and immigration reform.

The gentleman from North Carolina said we're here to fight for people. We're here to fix a broken system, and we're here to make it work. We want to have a reform bill that is going to actually be fair—be fair to those who have come to participate in our economy, but be fair to people who are Americans that say we are a country of laws, and we also are a country of immigrants.

I think the key first step is border security. We have to debate, negotiate, discuss what does border security mean. Once we agree on what border security is, and once we secure the border, we can go to the next phase, which is to say we have millions of people who have come into our country, what's the fair way to treat them. In my opinion, and I am open to hearing feedback from all kinds of people as we have this conversation and debate, I haven't dug my heels in. But, number one, we have to say, do you get to go to the head of the line and become a U.S. citizen when you've come here without documentation? I don't know that that's the first step after border security. But what I do think we have to say is if you've come here and you've participated in our economy, we can offer some kind of legal status, a legal status that isn't citizenship, but it's a legal status that says we're not going to arrest you in the middle of the night. We're not going to separate you from your grandparents or your kids. You can stay in our country because the border is secure. We're not going to have to address this problem 10 years from now or 20 years from now or 25 years from now. We've addressed the border, which means that we've addressed the inflow of people coming to our country illegally.

When that happens, we can offer those without documentation a status that says you can stay here and you can work; but if you want to become a citizen, you're going to have to get to the back of the line. You don't get a special pathway into the front of the line. You can go to the back and you can become a citizen, but you can stay here legally. And by staying here legally, you can pay your taxes, but that doesn't mean you can vote. And it also doesn't mean that you can collect off the entitlement system that we have here in America.

I think as we have that conversation with those who are here without documentation and those who care about the laws in America, we can have a conversation that actually works for everybody and everybody can agree to. I look forward to that conversation, on finding a pathway and a consensus forward that works for everybody.

With that, I yield to the gentleman from Colorado.

Mr. GARDNER. The gentleman from Wisconsin brought up a great point, and that is the issue of a step-by-step process. That is exactly what the House is undertaking. There are at least four bills right now that are working their way through the Judiciary Committee, dealing with everything from an E-Verify system that can actually work and be used by employers around this country to know that they are hiring people who are legally eligible for employment in this country. But we also have the opportunity to address one of the other concerns that I hear at town meetings and in private conversations in grocery stores across my district, and that's so many people who say, Do we need to do anything other than just enforcing existing laws? Do we really need new laws?

We have to give serious consideration to that question because the answer is, yes, we do need immigration reform. Because of the 11 million people in this country who we believe are undocumented today, 42 percent of them are here, they came here legally, entered the country legally, but overstayed their visa. So how do we reform the visa system to actually make it work so we know the integrity of the process is what it needs to be?

How do we create a system for those in agriculture to know that they have

a workforce that is readily available to harvest that fall's crops? Or if you're a dairy farmer, there's no one season for a dairy farmer, it's year round, so the availability of a workforce with the skills that they need, but the certainty that they need. It's those laws that we have to reform to enforce and rebuild the trust of the American people in a step-by-step process. Because if we do this, we can actually create a system of laws that avoids the mistakes of the 1986 law through enforcement first, border security first, and making sure then that we deal with the situation at hand and the people who do want to be a part of a healthy American economy.

Mr. HUDSON. I appreciate my colleague pointing out some of the legislation that the Judiciary Committee has already passed because I think it is important to understand that the House of Representatives is taking a different approach when it comes to immigration reform. So we passed the Border Security Results Act out of Homeland Security. We have also passed the Legal Workforce Act, which is the bill that reforms the E-Verify system, which gives us a much more workable E-Verify program, that gives our employers the certainty and the assurance that they can verify the citizenship of potential employees.

The second piece of legislation that came out of the Judiciary Committee already is the Skills Visa Act. This has to do with what's called the H–1B visas. These are for your high-skilled workers. These are for folks in math, science, and technology who may come to the United States to go to university to learn these skills and get on this career path, but then they don't have a visa to stay here. Most industrialized nations in the world, 80 percent of the visas they give out are based on work skills and needs of the workforce. Here in the United States, it's about 12 percent of the visas we give out. We have a lottery to give out visas; and to me, that's ridiculous. We need to reform the system so we're giving out visas to the type of people that we want to attract to this country. So the Skills Visa Act is legislation we're considering here in the House that will do that.

The third piece of legislation is called the SAFE Act. One of the issues we've talked about, we have to enforce the rule of law. Frankly, we don't have enough Federal agents enforcing the law. So what we need to do is empower States and municipalities, local governments that want to enforce the immigration law to be able to do that. That's what the SAFE Act does.

And then the fourth piece is the agriculture guest worker, AG Act. That is a critical piece for our economy. There are at least 11 million undocumented workers here in this country that we know of. Many of those folks don't want citizenship. What they want is the ability to work here legally. If we have an ag worker program that actually works, this is the H–2A program. Frankly, when I'm home, and I go home every weekend and meet with our local folks and I see farmers across our my district, I ask them, How many of you are using H–2A program? You'd be amazed how few use the program, because it's not workable.

And so as my colleague from Colorado asked the question that he hears at town hall meetings, Do we really need to do immigration reform, yes, we do. We can't just secure the border with a fence and technology if we still have that attraction, that need for illegal workers to fill jobs in this country. We've got to have a pathway to bring in legal workers, whether it's in agriculture or home-building, or some of the more high-skilled types of jobs. We need a legal pathway to fill those positions; otherwise there's going to be this tug of illegals that will continue to happen.

So we can build a 10-foot wall, but someone is going to invent an 11-foot ladder. So it has to be a comprehensive approach. That's why we need the ag guest worker program, as well. So as you can see, we in the House are looking at this step by step. We are looking at what are the actual problems so we can address them in a very thoughtful way so that we aren't just rushing to get a big bill, as was once said by a former Speaker of this House, Let's pass this bill so we know what's in it. Well, we don't want to make that mistake again. We don't need a big, huge, comprehensive bill. We need to look at these issues in a very thoughtful, comprehensive way.

Mr. DUFFY. I appreciate the gentleman from North Carolina's comments. And you look around at immigrants that come to America, why do they come? They've come for the American Dream. They've come for a better life for themselves. They've come for a better life for their children. They've come to the land of opportunity because they want that opportunity. They want to work hard.

I'm from Wisconsin. Many people may not want to recognize this, but if you look at our dairy farms around Wisconsin, there are a lot of immigrants who have come here without documentation that work on our farms. And it's hard, tough work; and they do it because they want an opportunity.

I travel around and do a lot of town halls, and I know my colleagues do town halls and coffees. I would ask the gentlemen from Colorado and Illinois what you guys hear in your town halls, what people think about immigration and the problems and the solutions you face in your communities.

Mr. GARDNER. I thank the gentleman from Wisconsin. The conversations I hear are from all angles. So whether it's from somebody whose family came here when they were very young—I know of an instance of a young woman who came into this country with her family when she was a baby. She has gone to school in the same class, same school system for 12 years, eventually graduating as a senior, number one in her class. She was brought here as a child. When she asked me about what we were going to do, I said, Your situation is an example of why we need immigration reform, so have secure borders and we know the laws are being enforced and to avoid putting you in this situation.

Years later, that conversation is repeating. We don't have the reform yet, and we are still looking for that reform. And how many years have to go by before we can actually say we have secured the border, we are enforcing the law? And we know in 10, 20, 30 years, the visa program is solved, the E-Verify system is working. That labor needs, whether it is housing construction, agriculture, are being met in a system that encourages compliance with the law as part of a healthy American economy instead of an underground or a way that does it in a lawbreaking fashion.

I will tell you one other story. There's a doctor in the eastern plains of Colorado who was here with all of his proper documentation. Unfortunately, his mother was ill and he needed to leave the country or was hoping to leave the country to say good-bye to her. But under our system of laws, if he left this Nation, he couldn't come back. The only doctor in the county, but he couldn't go away to say goodbye to his mom because he couldn't return. We need some common sense.

Mr. DUFFY. That's a powerful story.

Mr. KINZINGER of Illinois. That's a great story. I just had a town hall meeting in Rockford, Illinois, yesterday. You get folks from all ends of the political spectrum. That is the great thing about our democracy is we can have that respectful conversation.

You have everything from folks who say, Look, all you have to do is enforce existing laws, put more people on the border. Then you have a lot of people who say, Hey, we need to not have any more border enforcement and just allow everybody here to become U.S. citizens.

I think the answer is, frankly, in the middle of that. When you talk to folks, and it doesn't matter if they're on the right or left or somewhere in between, everybody has a heart. Everybody cares about people. And when you talk about the fact, as Mr. GARDNER mentioned, there are people here who are 5 years old, through no fault of their own, sometimes 12 years old, or now they're getting ready to go to college and they realize they're not here legally, this is something we ought to have a lot of compassion for and understand.

□ 2145

And I think we've got to take some of the anger out of it on all sides of the aisle and just have a grown-up discussion and say, What do we have to do to fix the problem here? What do we have to do to fix the issue? Because, frankly,

I don't know how long I'll be in politics, but I don't ever want to have to address this again. And I think that's the thing. And that's what I hear at my town hall meetings is, you know, when you really get past kind of the initial arguments, folks say, We just really don't trust Washington, but, unfortunately, you're the ones that have to solve this problem.

Mr. DUFFY. And I hear similar things, and that's why people say, Take it slow. Talk about it. Talk to us.

Let's do what's right. Let's do what works for the very people that you talked about. Some call them the Dreamers, people who are here at 17 years old or 14 years old and know no other country, but they're here. They're part of our communities, our society, and our schools. Let's do what's right by them, but also let's do what's right for our next generation by securing this border.

I want to talk about just one story. I have a good friend back in Ashland, Wisconsin. He came here legally, but it goes to the work ethic of those who come for opportunity and the American Dream.

It's Bah Lee. He owns a nail shop in Ashland, Wisconsin, and he was raised in an orphanage in Vietnam. And the sister nuns, as he tells the story, saved money in the orphanage and they sent him to America. And he couldn't speak the language, and I think he was in Texas where he got a job in a fast-food restaurant.

And from fast-food, he got a job as a painter. And all the painters got mad at him because he was such a fast painter and they were, like, Slow down. You're making us all look bad. He said, No, I'm here to paint. In very short order he was the highest-paid painter; doesn't speak the language very well, from Vietnam, but man, could he paint.

He saved money, sent money back to the sister nuns in Vietnam to help the orphanage but saved money himself, and he opened up a nail salon. And after that nail salon, another nail salon, and he sold them and he built them and he sold them.

Eventually, he said, I don't like the hot weather anymore, so he moved up to northern Wisconsin, where he bought a building on Main Street, Ashland; right? And he opened up California Nails.

And during the day, Lee does nails, and at night—it's an old 1900 building. It was barren up there. He built five apartments, by himself, at night, in the upstairs of his office building. And then in the downstairs, which was not the nicest location and smelled, he ripped it out and built new apartments downstairs.

But a guy that worked all day and all night for his shot at the American Dream, helping his people back at home, but helping our community, showing what immigrants do to make America better. And it's that story, which is the American story, that I'm fighting for, to have a system that actually works for people who are here legally and people who want a shot at what we have to offer.

And with that, I yield back to the gentleman from North Carolina for his comments on what he hears in his town halls on where we need to go with regard to immigration reform.

Mr. HUDSON. I appreciate that. And I think it's many of the same things.

First of all, people don't trust Washington to actually address this problem. We've got a pretty bad track record here in the Congress.

I think the other thing, though, I hear from my farmers, from my homebuilders, that they need labor, and we've got to have a legal pathway to get that done. And so we've just got to do it in a way that's fair and respects the rule of law.

If any of you would like to close, I believe we're getting near the end of our time.

Mr. DUFFY. For a few more moments, I'm going to yield to the gentleman from Illinois.

Mr. KINZINGER of Illinois. Well, thank you. And as we do wrap up our time, I just want to say thank you to those paying attention today and to my fellow Members here.

This is an important issue. This is the very beginning of a long discussion that we need to have because this is too important to get wrong. This is too important to rush, because America's the greatest country in the world and this is something we ought not ever forget. And in the process of doing that, we ought to remember that we're an America that many of us come from immigrants and an America that, frankly, is proud of where we've come from.

So with that, I want to thank the fellow Members of Congress here with me to talk about this. And this is the very beginning of, I'm sure, a long discussion about where we go from here.

Mr. DUFFY. I know our time is short, and I appreciate the discussion, and I'm about to yield back to the Speaker. And we may have a few more minutes we can actually continue this discussion tonight, but my time is done.

I yield back the balance of my time.

IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Colorado (Mr. GARDNER) for 10 minutes.

Mr. GARDNER. I thank the gentleman, the Speaker, for the additional time to continue this conversation, and thank you as well to Members for this opportunity to discuss what is truly one of the biggest issues this Congress, this Nation faces.

I recently was talking to a reporter back home about the immigration debate taking place. They were asking about the Senate bill, asking about what the House was doing. And they said, Well, aren't you acting with speed? Do you feel no urgency?

And my response was, Don't mistake the issue of speed with urgency, because I think the House feels every bit as urgent as this issue truly is and truly deserves the attention of how urgent the matter is before all of us. But because of that, because of the urgency to do it right, it is going to take time, a deliberative process through this body to make sure that we create that step-by-step opportunity for the people who are here legally, for people who want to come into this Nation legally, to create the border security, the border enforcement, and then to have answers for every person in this Nation. And so as we create this process, this debate, as it moves forward, every bit as urgent as any other American before us, any other person who's desiring to be a part of this country, the urgency that we all feel to make sure that this happens.

And so to the gentleman from Illinois or Wisconsin or North Carolina, thank you.

I yield to anyone who wishes to continue tonight.

Mr. HUDSON. Well, I'm happy to jump in. I thank my colleague from Colorado for giving us this opportunity.

I think the problem is just the general distrust in the way Washington does things, and you only have to look at the process we just went through to understand why; because any problem that we ever face as a Nation, Congress can solve it by very quickly passing a big piece of legislation with a great title and saying the problem is solved.

Unfortunately, in 1986, when we passed immigration reform it didn't solve the problem. It gave amnesty now with a promise of border security later that we never saw, and I believe that's the same thing that happened with the Senate bill. We very quickly put out a bill that has a great title, thousands of pages that I doubt many folks have even read, and saying the problem is now solved.

And then you immediately hear the pundits and the folks who talk on TV about what happens in Washington saying, Well, the House, since you aren't quickly moving a huge bill with a nice title, you don't care. But the truth is we do care, but we're here to represent the people of the United States of America that sent us here, and we're going to do this in a very thoughtful way, and we're going to do immigration reform the right way so that we don't have to do it again in another 20 years.

Mr. KINZINGER of Illinois. The big picture of this is we're getting into a lot of the details we need to. But I want to just, as I give my last statement of the night, I just want to say this.

You know, America is the land of opportunity. America is growing at less, frankly, organically, with folks just

here, than we need to to continue to be a powerful economy in the world, so this is a discussion that we have to have. It is a discussion that is required if we're going to be, in 20, 30, 40, 50 years, the most powerful country in the world.

I don't have kids yet, but I sure hope when I do that my grandkids can live in a world where America is unchecked, the power in the world. They never have to worry about some of the problems that previous generations have had to worry about.

This reminds me, and as I've heard folks on, frankly, the other side of the aisle that have said many times, you know, they use very emotional statements to talk about what the Republican Party believes. I've heard us called the Party of No. I've heard us called, you know, taking food from the mouths of children, not caring about anybody but the rich. I've heard it all.

Look, I'll admit this in some cases, in many cases, the Republican Party has not done a good job of messaging. I remember seeing an ad on television where a pizza company talked about how they used to do it wrong and now they want to do it right.

Well, here's what we need do and here's what my passion is: to let the people know that, frankly, the Republican Party is the party of opportunity. We're the party that, as I mentioned earlier, believes that a kid born in the worst of circumstances should be able to pull himself out of those circumstances and be one of the most successful people in the world, including President of the United States if he or she wants to be. That's what we believe.

That's, when we go forward in this debate and any other debates, that's the message that I think is important to get out. Let's quit calling each other names. Let's quit trying to use cheap shots. Let's just have a grown-up discussion and say we both, all sides of the aisle, want a successful America; we just see how to get there differently. And let's have a discussion as adults, as Members of Congress, and, frankly, as Americans should have a discussion.

Mr. DUFFY. Mr. Speaker, I think it's important for all of us to stand strong, stand tall and lead, listen, communicate on this very important issue. And I know that's what we want to do here tonight is throw out ideas, but also prepare ourselves to listen to what our constituents want, what America wants and what's right for the country.

I hear some folks on my side of the aisle talk about if you pass a border security bill, you're going to go to conference with the Senate and you're going to adopt the Senate bill. We don't go to conference unless we agree to it. That's not going to happen. Let me be very clear. We're going to do a step-by-step approach and get a solution to immigration and then we'll talk about going to conference, if that's the pathway forward. But it's not one phase of the bill, then to Congress.

I've got others that say just enforce the current laws, and to those I would ask: How is that working for us? It's not working. We have to engage in this conversation and do what's right.

I've got one more story for you. There's a family that came from Mexico over to Arizona, and they had an opportunity to work in the mines in Superior, Arizona, hard work, tough work. They were Catholic. They raised a lot of kids on not a lot of money. But one of their kids, as he grew up, he learned how to make pinatas and sell those pinatas. He learned how to get fruit of the desert, chop it up, slice it, dice it, and sell it as a delicacy within his community, a little entrepreneur.

When he got older he had a shot to go work in the mines like his brothers, but instead he said, You know what? I want to serve my country. And he went into the military. He had a chance to serve under Ronald Reagan.

And he came from a party that's not mine, but he had a chance to serve under Ronald Reagan, and he had to see what a party of opportunity had to offer him and his community and his family. He changed his vote. He said, This is who's looking out for me. This is who's looking out for my opportunity, and this is who's going to look out for my children and my grandchildren.

He went on, got married to a woman in Spain who immigrated here legally, and they had four kids. And I was honored enough to meet their daughter and marry her and move her to northern Wisconsin from warm Arizona, where we now have six children together.

That's my wife's immigrant story, whose father came here as a first-generation American, who worked his heart out and has his shot at the American Dream. After the military, he became a schoolteacher, and now he works for a university. He's living the dream. His daughter is living the dream. All of us have those stories. My parents, my great-grandparents came from Ireland. We all have the story of an immigrant.

I'm here to say, let's open our hearts. Let's open our minds. Let's have a real discussion that works. But let's also first say secure the border so we don't deal with this again, and then do what's right by way of folks who have come here and want their shot at the American Dream.

Mr. GARDNER. That, Mr. Speaker, is the story of America. And I thank our colleagues for joining us tonight and look forward to this debate and look forward to hearing from you, the people of this country, as we enter this important conversation.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HORSFORD (at the request of Ms. PELOSI) for today on account of a medical-mandated recovery.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly a enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2289. An act to rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchinson Spousal IRA.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 12, 2013, she presented to the President of the United States, for his approval, the following bills.

H.R. 251. To direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes.

H.R. 254. To authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

H.R. 588. To provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes.

ADJOURNMENT

Mr. GARDNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 17, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2251. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Additional Qualifying Renewable Fuel Pathways under the Renewable Fuel Standard Program; Final Rule Approving Renewable Fuel Pathways for Giant Reed (Arundo Donax) and Napier Grass (Pennisetum Purpureum) [EPA-HQ-OAR-2011-0542; FRL-9822-7] (RIN: 2060-AR85) received July 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2252. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007; to the Committee on Foreign Affairs.

2253. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's fiscal year

2012 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

2254. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Indianapolis, transmitting the 2012 Statements on System of Internal Controls of the Federal Home Loan Bank of Indianapolis, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2255. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fairport Harbor Mardi Gras, Lake Erie, Fairport, OH [Docket Number: USCG-2013-0417] (RIN: 1625-AA00) received July 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2256. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Coronado Fourth of July Fireworks, Glorietta Bay; Coronado, CA [Docket Number: USCG-2013-0301] (RIN: 1625-AA00) received July 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2257. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ad Club's 100th Anniversary Gala Fireworks Display, Boston Inner Harbor, Boston, MA [Docket Number: USCG-2013-0256] (RIN: 1625-AA00) received July 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2258. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Fourth of July Fireworks Displays within the Captain of the Port Charleston Zone, SC [Docket Number: USCG-2013-0415] (RIN: 1625-AA00) received July 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2259. A letter from the Secretary, Department of Veterans Affairs, transmitting a letter reporting the FY 2012 expenditures from the Pershing Hall Revolving Fund for projects, activities, and facilities that support the mission of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

2260. A letter from the Acting Under Secretary and Deputy Secretary, Departments of Defense and Veterans Affairs, transmitting Veterans Affairs and Department of Defense Joint Executive Council Fiscal Year 2012 Annual Report, pursuant to 38 U.S.C. 8111(f); jointly to the Committees on Armed Services and Veterans' Affairs.

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. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1848. A bill to ensure that the Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, and for other purposes; with an amendment (Rept. 113–151). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2576. A bill to amend title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents, and for other purposes (Rept. 113–152 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2611. A bill to designate the headquarters building of the Coast Guard on the campus located at 2701 Martin Luther King, Jr., Avenue Southeast in the District of Columbia as the ''Douglas A. Munro Coast Guard Headquarters Building', and for other purposes (Rept. 113–153). Referred to the House Calendar.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 568. A bill to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees; with an amendment (Rept. 113–154). Referred to the Committee of the whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 1211. A bill to amend section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), to provide for greater public access to information, and for other purposes; with an amendment (Rept. 113–155). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 2067. A bill to amend title 5, United States Code, to make permanent the authority of the Secretary of the Treasury to establish a separate compensation and performance management system with respect to persons holding critical scientific, technical, or professional positions within the Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury (Rept. 113–156). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: House Committee on Rules. House Resolution 300. A resolution providing for consideration of the bill (H.R. 2668) to delay the application of the individual health insurance mandate; and providing for consideration of the bill (H.R. 2667) to delay the application of the employer health insurance mandate, and for other purposes (Rept. 113–157). 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. 2576 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. GARDNER (for himself, Mr. WELCH, Mr. COFFMAN, Mrs. ROBY, Mr. KINZINGER of Illinois, Mr. MATHESON, Mr. GRIFFIN of Arkansas, Ms. KUSTER, Ms. BORDALLO, Mr. PETERS of California, Mr. HUFFMAN, Mr. BERA of California, Mr. NOLAN, Mr. LOWENTHAL, Mr. MCNERNEY, Mr. YOUNG of Indiana, Mr. MORAN, Mr. SCHRADER, Mr. BLUMENAUER, Mr. MAFFEI, Mr. LOEBSACK, Mr. COOPER, Mr. BISHOP of Georgia, Mr. CICILLINE, Mr. SEAN PATRICK MALONEY of New York, and Mr. OWENS):

H.R. 2689. A bill to amend the National Energy Conservation Policy Act to encourage the increased use of performance contracting in Federal facilities; to the Committee on Energy and Commerce.

By Mr. CUMMINGS (for himself, Mr. LYNCH, Mr. TIERNEY, Mr. CONNOLLY, Ms. SPEIER, Ms. NORTON, Mr. DANNY K. DAVIS of Illinois, and Ms. KELLY of Illinois):

H.R. 2690. A bill to enhance the long-term profitability of the United States Postal Service through enhanced innovation, operational flexibility, workforce realignment, and regulatory relief; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, 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. BISHOP of New York (for himself, Mr. COURTNEY, and Mr. GRIMM):

H.R. 2691. A bill to amend certain appropriation Acts to repeal the requirement directing the Administrator of General Services to sell Federal property and assets that support the operations of the Plum Island Animal Disease Center in Plum Island, New York, and for other purposes; to the Committee on Homeland Security.

By Mr. CONYERS (for himself and Mr. BLUMENAUER):

H.R. 2692. A bill to direct the Administrator of the Environmental Protection Agency to take certain actions related to pesticides that may affect pollinators, and for other purposes; to the Committee on Agriculture.

By Mr. COOK (for himself, Mr. RUNYAN, and Mr. O'ROURKE):

H.R. 2693. A bill to direct the Secretary of Homeland Security to submit a report to Congress on security screening by the Transportation Security Administration of veterans and other passengers with amputations; to the Committee on Homeland Security.

By Mr. GRIFFIN of Arkansas:

H.R. 2694. A bill to promote strategic sourcing principles within the Federal Government; to the Committee on Oversight and Government Reform.

By Mr. JEFFRIES (for himself, Ms. BASS, Ms. BROWN of Florida, Mr. CARSON of Indiana, Ms. CLARKE, Mr. CLAY, Ms. HAHN, Ms. JACKSON LEE, Ms. KELLY of Illinois, Mrs. CAROLYN B. MALONEY of New York, Ms. MENG, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. RANGEL, Mr. RUSH, Ms. WILSON of Florida, Mr. GUTIÉRREZ, Mrs. CHRISTENSEN, Mrs. BEATTY, Mr. JOHNSON of Georgia, Mr. TAKANO, and Mr. LEWIS):

H.R. 2695. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt from sequestration the public and Indian housing programs of the Department of Housing and Urban Development; to the Committee on the Budget.

By Mr. KIND (for himself and Mr. PAULSEN):

H.R. 2696. A bill to increase transparency of agencies by requiring a report describing any proposed conference; to the Committee on Oversight and Government Reform.

By Mr. GEORGE MILLER of California (for himself, Mr. ANDREWS, Mr. LANCE, Mr. NADLER, Ms. SCHAKOWSKY, Mr. DINGELL, Mr. BECERRA, Mr. CONYERS, Mr. CAPUANO, Ms. WILSON of Florida, Mr. HOLT, Mr. GRIJALVA, and Mr. YARMUTH):

H.R. 2697. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 2698. A bill to provide a short-term disability insurance program for Federal employees for disabilities that are not work-related, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PALLONE:

H.R. 2699. A bill to extend the hold harmless provisions of the Ryan White HIV/AIDS Program pending reauthorization of the overall program; to the Committee on Energy and Commerce.

By Mr. ROGERS of Michigan (for himself, Mr. MCKINLEY, Mr. TIBERI, Mr. CASSIDY, Mr. HALL, Mr. HUIZENGA of Michigan, and Mr. WALBERG):

H.R. 2700. A bill to amend title I of the Patient Protection and Affordable Care Act to provide for a process for waiver of requirements of that title where the requirement is asserted to otherwise result in a significant decrease in access to coverage or significant increase in premiums or other costs; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, 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. ROSKAM (for himself and Mr. DEUTCH):

H.R. 2701. A bill to authorize further assistance to Israel for the Iron Dome anti-rocket defense system and authorization for cooperation on the David's Sling, Arrow, and Arrow 3 anti-missile defense systems; to the Committee on Foreign Affairs.

By Mr. SARBANES (for himself, Mr. FITZPATRICK, Ms. BONAMICI, Mrs. CAPPS, Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. ELLISON, Mr. FARR, Mr. GRIJALVA, Mr. HUFFMAN, Mr. HOLT, Ms. LEE of California, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Ms. PINGREE of Maine, Mr. POLIS, and Mr. THOMPSON of California):

H.R. 2702. A bill to amend the Elementary and Secondary Education Act of 1965 regarding improving environmental literacy to better prepare students for postsecondary education and careers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ISRAEL (for himself, Ms. DELAURO, Ms. DEGETTE, Ms. SINEMA, Mr. FITZPATRICK, and Mr. ISSA):

H. Res. 301. A resolution expressing support for designation of September 2013 as National Ovarian Cancer Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. SHIMKUS:

H. Res. 302. A resolution expressing support for designation of August 23 as ''Black Ribbon Day'' to recognize the victims of Soviet Communist and Nazi regimes; to the Committee on Oversight and Government Reform.

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. GARDNER:

H.R. 2689.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. CUMMINGS:

H.R. 2690.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 of the United States Constitution that empowers Congress to establish Post Offices and post Roads.

By Mr. BISHOP of New York:

H.R. 2691.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Line 18; ''(Congress shall have the power) To make all laws''

By Mr. CONYERS:

H.R. 2692.

Congress has the power to enact this legislation pursuant to the following:

Article 1, 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 defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. COOK:

H.R. 2693.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I

By Mr. GRIFFIN of Arkansas:

H.R. 2694.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. JEFFRIES:

H.R. 2695.

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 I, Section 8, Clause 1 of the United States Constitution.

By Mr. KIND:

H.R. 2696.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. GEORGE MILLER of California:

H.R. 2697.

Congress has the power to enact this legislation pursuant to the following:

Art. 1 sec. 8, clause 1 and 3 of the U.S. Constitution

By Ms. NORTON:

H.R. 2698.

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. PALLONE:

H.R. 2699.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8

By Mr. ROGERS of Michigan:

H.R. 2700.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18 of the Constitution, which states ''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. ROSKAM:

H.R. 2701.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. SARBANES:

H.R. 2702.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. YOUNG of Indiana and Mr. BARLETTA.

H.R. 32: Mr. COLE, Ms. SINEMA, Mr. SMITH of Missouri, and Mr. COOPER.

H.R. 96: Mr. CARTWRIGHT and Mr. COHEN.

H.R. 176: Mr. BRIDENSTINE.

H.R. 268: Mr. CARTWRIGHT.

H.R. 292: Mr. HUFFMAN.

H.R. 301: Mr. DUNCAN of Tennessee, Mr. BUCHANAN, and Mr. WILSON of South Carolina.

H.R. 310: Mr. BISHOP of Georgia, Mr. MAFFEI, Mr. SEAN PATRICK MALONEY of New York, Mr. RUIZ, and Ms. GABBARD.

H.R. 366: Mr. CONYERS, Mr. DEUTCH, Mr. CALVERT, Mr. POCAN, and Mr. MURPHY of Florida.

H.R. 449: Mr. SMITH of Nebraska.

H.R. 474: Ms. TSONGAS.

H.R. 503: Mr. VEASEY.

H.R. 508: Mr. JEFFRIES.

H.R. 535: Mr. POCAN.

H.R. 556: Mr. WILSON of South Carolina.

H.R. 599: Ms. WATERS.

H.R. 636: Mr. COOPER.

H.R. 641: Mr. BRIDENSTINE.

H.R. 647: Ms. WATERS, Ms. KAPTUR, Mr. THOMPSON of Pennsylvania, and Mr. JONES.

H.R. 649: Mr. PAYNE.

H.R. 685: Mr. JOHNSON of Georgia, Mr. CUMMINGS, Mr. ROONEY, Ms. JACKSON LEE, Mr. PETERS of Michigan, and Mr. BROOKS of Alabama.

H.R. 688: Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. CASTOR of Florida.

H.R. 690: Mr. PETERS of Michigan.

H.R. 698: Mrs. CHRISTENSEN and Ms. SCHWARTZ.

H.R. 715: Ms. CASTOR of Florida, Mr. COHEN, Ms. BASS, and Mr. COOPER.

H.R. 721: Mr. SIRES.

H.R. 732: Mr. BARLETTA.

H.R. 755: Ms. BORDALLO.

H.R. 763: Mr. RAHALL.

H.R. 765: Mr. MCGOVERN, Mr. CÁRDENAS, and Ms. TSONGAS.

H.R. 769: Mr. HECK of Washington.

H.R. 792: Ms. ROS-LEHTINEN and Mr. BARLETTA.

H.R. 800: Mr. PAYNE.

H.R. 842: Ms. SLAUGHTER.

H.R. 850: Mr. SHUSTER.

H.R. 900: Mr. VEASEY.

H.R. 949: Ms. DUCKWORTH.

H.R. 958: Mr. HASTINGS of Florida and Mr. PAYNE.

H.R. 979: Mr. JOYCE.

H.R. 980: Mrs. BUSTOS.

H.R. 996: Mr. CARTWRIGHT.

H.R. 1020: Mr. GRIFFIN of Arkansas.

H.R. 1024: Mr. MURPHY of Florida, Mr. COFFMAN, and Mr. RAHALL.

H.R. 1025: Mr. MCNERNEY.

H.R. 1027: Mr. CONYERS, Mr. POLIS, and Ms. SEWELL of Alabama.

H.R. 1078: Mr. WOMACK.

H.R. 1094: Mr. COOPER.
H.R. 1095: Mr. FARENTHOLD, Mr. DIAZ-BALART, Mr. CASSIDY, and Mr. BENISHEK.
H.R. 1129: Mr. HECK of Nevada.
H.R. 1176: Mr. MCCAUL.
H.R. 1179: Mr. HECK of Nevada.
H.R. 1188: Mr. YOHO and Mr. BARLETTA.
H.R. 1250: Mr. GALLEGO.
H.R. 1254: Mr. RADEL.
H.R. 1284: Mr. BARBER.
H.R. 1311: Mr. HUDSON.
H.R. 1318: Mr. CARSON of Indiana.
H.R. 1334: Mr. SCOTT of Virginia.
H.R. 1414: Mr. LIPINSKI.
H.R. 1416: Mr. GRIFFIN of Arkansas and Mr. RUSH.
H.R. 1428: Mr. CARSON of Indiana and Mr. SWALWELL of California.
H.R. 1463: Mr. BARBER.
H.R. 1464: Mr. BARBER.
H.R. 1488: Mr. BARBER.
H.R. 1493: Mr. SMITH of Missouri.
H.R. 1518: Mr. TAKANO and Mr. POCAN.
H.R. 1582: Mr. KLINE.
H.R. 1598: Mr. BARBER.
H.R. 1630: Ms. ROYBAL-ALLARD and Mr. LOWENTHAL.
H.R. 1634: Mr. GRIFFIN of Arkansas.
H.R. 1638: Mr. HUELSKAMP.
H.R. 1696: Mr. MCNERNEY.
H.R. 1708: Mr. MCCAUL.
H.R. 1726: Ms. SCHAKOWSKY, Mr. ISRAEL, Mr. MEEKS, Mr. MCDERMOTT, Mr. LEWIS, Mr. RUSH, Mr. TONKO, and Ms. SLAUGHTER.
H.R. 1731: Mr. LARSEN of Washington.
H.R. 1732: Mr. COOPER, Mrs. CHRISTENSEN, Ms. NORTON, Mr. HINOJOSA, and Mr. CÁRDENAS.
H.R. 1748: Mr. MORAN.
H.R. 1761: Mr. WENSTRUP.
H.R. 1771: Mr. BENTIVOLIO, Mr. LANCE, Mr. GRIFFIN of Arkansas, Mr. COLLINS of New York, Mr. THORNBERRY, Ms. LINDA T. SÁNCHEZ of California, Mr. OLSON, Mr. HANNA, Mr. VEASEY, and Mr. ISRAEL.
H.R. 1801: Mr. LYNCH, Ms. SHEA-PORTER, and Mr. CARTWRIGHT.
H.R. 1818: Mr. COBLE.
H.R. 1825: Mr. FLEMING, Mr. ROONEY, Mr. MEADOWS, Mr. COBLE, Mrs. BLACK, Mr. GRAVES of Missouri, Mr. CRAWFORD, and Mr. PALAZZO.
H.R. 1827: Mr. POLIS and Ms. LEE of California.
H.R. 1830: Mr. ISRAEL.
H.R. 1869: Ms. GABBARD, Mr. NOLAN, Mr. WILSON of South Carolina, and Mr. BARROW of Georgia.
H.R. 1870: Mr. COOPER.
H.R. 1900: Mr. HARPER, Mr. KLINE, and Mr. BARLETTA.
H.R. 1908: Mr. HUDSON.
H.R. 1918: Mr. DUFFY.
H.R. 1925: Mr. KILDEE.
H.R. 1945: Ms. CLARKE and Mr. BARBER.
H.R. 1961: Mrs. BEATTY.
H.R. 1962: Mr. RODNEY DAVIS of Illinois.
H.R. 1979: Mr. MCDERMOTT.
H.R. 1981: Ms. CHU.
H.R. 1985: Mr. WALDEN.
H.R. 1991: Mr. GUTHRIE.
H.R. 1998: Mr. HIMES, Ms. ROYBAL-ALLARD, Ms. SCHWARTZ, Ms. TSONGAS, and Ms. BASS.
H.R. 2000: Mr. PASCRELL.
H.R. 2009: Mr. MURPHY of Pennsylvania, Mr. WOODALL, Mr. MCCAUL, Mr. BRADY of Texas, and Mr. HUDSON.
H.R. 2016: Ms. BONAMICI and Ms. PINGREE of Maine.
H. R. 2046: Mr. COBLE.
H. R. 2052: Mr. BARR, Mr. MATHESON, and Mr. BILIRAKIS.
H. R. 2053: Mr. RICE of South Carolina and Mr. MCKINLEY.
H. R. 2068: Mr. HECK of Nevada and Mr. WALDEN.
H. R. 2070: Mr. LEVIN, Ms. ESTY, Mr. VISCLOSKY, and Mr. ENYART.
H. R. 2088: Mr. BARBER.
H. R. 2094: Mr. GENE GREEN of Texas, Mrs. CHRISTENSEN, and Mr. BILIRAKIS.
H. R. 2116: Ms. ESHOO, Ms. BROWN of Florida, Ms. WILSON of Florida, Mr. BEN RAY LUJÁN of New Mexico, Mr. NADLER, and Mr. DINGELL.
H. R. 2122: Mr. SMITH of Missouri.
H. R. 2125: Mr. RADEL.
H. R. 2141: Mr. CLAY and Mr. PAYNE.
H. R. 2178: Mr. RYAN of Ohio.
H. R. 2199: Mr. GARCIA.
H. R. 2247: Mr. KLINE and Mr. MARCHANT.
H. R. 2308: Ms. SLAUGHTER.
H. R. 2310: Mr. LATTA.
H. R. 2315: Mr. THOMPSON of Pennsylvania.
H. R. 2328: Mr. SMITH of Texas and Ms. MCCOLLUM.
H. R. 2329: Mr. REICHERT.
H. R. 2338: Mr. LOEBSACK.
H. R. 2385: Mrs. ROBY.
H. R. 2408: Mr. MCCLINTOCK.
H. R. 2412: Mr. RYAN of Ohio.
H. R. 2429: MR. NUNNELEE, MR. ROKITA, MR. DIAZ-BALART, MR. WILSON OF SOUTH CAROLINA, MR. BACHUS, MR. PAULSEN, MR. HOLDING, MR. GRIFFITH OF VIRGINIA, MRS. WALORSKI, MR. GOHMERT, MR. SALMON, AND MR. FORBES.
H. R. 2445: Mr. WESTMORELAND, Mr. KELLY of Pennsylvania, and Mr. STOCKMAN.
H. R. 2449: Mr. MCCAUL, Mr. MCDERMOTT, Mr. PERRY, Mr. MEADOWS, and Mr. FRANKS of Arizona.
H. R. 2458: Mr. LATTA.
H. R. 2463: Mr. COBLE.
H. R. 2476: Mr. COURTNEY.
H. R. 2485: Mr. BARBER.
H. R. 2506: Mr. COOPER, Mr. RUIZ, Mr. SCHRADER, Mr. LOWENTHAL, Mr. LIPINSKI, and Ms. GABBARD.
H. R. 2520: Ms. NORTON.
H. R. 2539: Mr. NADLER.
H. R. 2542: Mr. CRAMER, Mr. CHABOT, and Mr. SMITH of Missouri.
H. R. 2557: Mr. BRADY of Texas.
H. R. 2568: Ms. TSONGAS.
H.R. 2571: Mr. STUTZMAN.
H.R. 2575: Mr. COFFMAN.
H.R. 2580: Ms. BASS.
H.R. 2585: Ms. WILSON of Florida.
H.R. 2590: Mr. BISHOP of Georgia, Mr. MAFFEI, Mr. SEAN PATRICK MALONEY of New York, Ms. GABBARD, Mr. CÁRDENAS, Mr. BENTIVOLIO, and Mr. BARROW of Georgia.
H.R. 2593: Mr. CULBERSON.
H.R. 2611: Mr. COBLE.
H.R. 2615: Mr. FORTENBERRY.
H.R. 2632: Mr. WAXMAN.
H.R. 2633: Mr. LEWIS, Mr. COOPER, Mr. NADLER, Ms. NORTON, Ms. WILSON of Florida, Mr. RUSH, Mr. HINOJOSA, Mr. LYNCH, Mr. CLEAVER, Mr. CLAY, Mrs. KIRKPATRICK, Ms. BORDALLO, Mr. CUMMINGS, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. FOSTER, Ms. SCHAKOWSKY, Mr. MEEKS, Mr. RANGEL, Ms. JENKINS, Ms. BROWN of Florida, and Mr. DOGGETT.
H.R. 2643: Mr. SCHRADER, Mr. HUFFMAN, Mr. COOK, Mr. MULVANEY, Mr. COOPER, Mr. BISHOP of Georgia, Mr. SEAN PATRICK MALONEY of New York, Mr. NOLAN, Mr. MICHAUD, Mr. RODNEY DAVIS of Illinois, Mr. BENTIVOLIO, Mr. OWENS, and Mr. CÁRDENAS.
H.R. 2646: Ms. ESHOO, Mr. LARSEN of Washington, and Mr. SCHRADER.
H.R.. 2652: Mr. GRIJALVA and Mr. HUFFMAN.
H.R. 2663: Mr. TONKO and Mr. ALEXANDER.
H.R. 2667: Mr. COFFMAN, Mr. MEADOWS, Mr. GRAVES of Missouri, Mr. POE of Texas, Mr. KLINE, Mr. BENISHEK, and Mr. CRAWFORD.
H.R. 2668: Mr. MEADOWS, Mr. HUIZENGA of Michigan, Mrs. MILLER of Michigan, Mr. BACHUS, Mr. GRAVES of Missouri, Mr. POE of Texas, Mr. KLINE, Mr. COFFMAN, and Mr. CRAWFORD.
H.R. 2675: Mr. ENYART, Mr. COOPER, Mr. BISHOP of Georgia, Mr. LIPINSKI, Mr. SEAN PATRICK MALONEY of New York, Mr. NOLAN, Mr. HUFFMAN, Mr. BRALEY of Iowa, Ms. SINEMA, Mr. CÁRDENAS, Mr. BERA of California, Mr. PETERS of California, and Mr. BARROW of Georgia.
H.R. 2682: Mr. BARR and Mr. GUTHRIE.
H.R. 2686: Mr. MULVANEY, Mr. BISHOP of Georgia, Mr. LIPINSKI, Ms. JENKINS, Mr. BENTIVOLIO, Mr. RODNEY DAVIS of Illinois, Mr. HUFFMAN, Mr. MEADOWS, Ms. GABBARD, Mr. OWENS, and Mr. BARROW of Georgia.
H.J. Res. 47: Mr. JORDAN.
H.J. Res. 50: Mr. JONES, Mr. LAMALFA, Mr. NUNES, Mr. BUCHANAN, Mr. BENTIVOLIO, Mr. GUTHRIE, Mr. LATHAM, Mr. KLINE, Mr. HARPER, Mr. YOUNG of Alaska, Mr. CULBERSON, Mrs. NOEM, Mr. WITTMAN, Mr. ROGERS of Alabama, Mr. DUNCAN of Tennessee, Mr. COFFMAN, and Mr. TIBERI.
H.J. Res. 51: Mr. RAHALL and Mr. HARPER.
H. Con. Res. 24: Mr. NUNES.
H. Con. Res. 34: Mrs. CAROLYN B. MALONEY of New York.
H. Con. Res. 41: Ms. MENG, Ms. ROS-LEHTINEN, Ms. HANABUSA, Mr. LARSEN of Washington, Ms. GABBARD, Ms. LINDA T. SÁNCHEZ of California, Ms. SEWELL of Alabama, Mr. BRIDENSTINE, Mr. MCGOVERN, and Mr. ROSKAM.
H. Con. Res. 44: Mrs. BUSTOS.
H. Res. 30: Mrs. KIRKPATRICK.
H. Res. 75: Mr. COOPER.
H. Res. 109: Mr. BLUMENAUER, Ms. SCHWARTZ, and Mr. DENT.
H. Res. 170: Mr. MCCAUL.
H. Res. 190: Mr. CRAWFORD.
H. Res. 208: Ms. TSONGAS and Mr. BRADY of Pennsylvania.
H. Res. 227: Ms. SCHAKOWSKY.
H. Res. 231: Mr. PAULSEN, Mr. SCOTT of Virginia, Ms. EDWARDS, Ms. MCCOLLUM, and Mr. LANCE.
H. Res. 250: Mr. JORDAN.
H. Res. 285: Mr. NUGENT, Mr. LYNCH, Mr. MEEHAN, Mr. VAN HOLLEN, Mr. ENYART, Mr. FOSTER, Mr. MCDERMOTT, and Mr. SABLAN.
H. Res. 293: Mr. COBLE and Mr. SMITH of Texas.

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. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 2667, ''Authority for Mandate Delay Act,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 2668, ''Fairness for American Families Act,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

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. 1962. Mr. DUFFY.
H.R. 2319: Mrs. KIRKPATRICK.
H.R. 2359: Mr. BISHOP of Utah.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, TUESDAY, JULY 16, 2013 No. 101

Senate

(Legislative day of Monday, July 15, 2013)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You deserve the honor, the glory, and the praise from our mortal lips, for You alone are omnipotent. Shine Your light upon the challenging path which our lawmakers must walk, dispelling the shadows of doubt and division. Lord, use our Senators as instruments of Your glory, keeping their faith strong as they trust You to order their steps and choreograph their destinies. May their labors bring solace to the needy, the marginalized, the lost, the lonely, and the least. Help them to remember that they are Your servants, called to serve Your purposes in their generation.

Lord, we ask Your special blessings on our new lawmaker Senator MARKEY as he is sworn in today.

We pray in Your sacred 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.

ORDER OF BUSINESS

Mr. DURBIN. Mr. President, the majority leader will be on the floor very briefly, but at this point I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. REID. Mr. President, what is the business before the Senate?

The VICE PRESIDENT. The swearing in of the Senator from Massachusetts.

CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate a Certificate of Election to fill the vacancy created by the resignation of Senator John F. Kerry of Massachusetts. The certificate, the Chair is advised, is in the form suggested by the Senate. If there is no objection, the reading of the certificate will be waived and it will be printed in full in the RECORD.

Mr. REID. Mr. President, reserving the right to object, I know a lot of people want to say some real nice things about this good man, but we are going to have to do it later. We have a lot of things to do. As he will learn, the Senate is not always as punctual as the House. So all those who have these wonderful things to say about this good man, do it later.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS

To the President of the Senate of the United States:

This is to certify that on the twenty-fifth day of June, two-thousand and thirteen Edward J. Markey was duly chosen by the qualified electors of the Commonwealth of Massachusetts a Senator for the unexpired term ending at noon on the third day of January, two thousand and fifteen, to fill the vacancy in the representation from said Commonwealth in the Senate of the United States caused by the resignation of Senator John F. Kerry.

Witness: His Excellency, the Governor, Deval L. Patrick, and our seal hereto affixed at Boston, this tenth day of July in the year of our Lord two thousand and thirteen.

By His Excellency, Governor

DEVAL PATRICK.

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-designee will now present himself at the desk, the Chair will administer the oath of office.

The Senator-designee, escorted by Ms. WARREN and Mr. COWAN, advanced to the desk of the Vice President, the oath prescribed by law was administered to him by the Vice President, and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator.

(Applause.)

Mr. REID. Mr. President, what is the business before this body?

The PRESIDING OFFICER (Mr. MURPHY). The motion to proceed to S. 1238 is pending.

MEASURE PLACED ON THE CALENDAR—S. 1292

Mr. REID. Mr. President, I am told S. 1292 is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 1292) to prohibit the funding of the Patient Protection and Affordable Care Act.

Mr. REID. Mr. President, I object to this.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar under rule XIV.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

EXECUTIVE SESSION

NOMINATION OF RICHARD CORDRAY TO BE DIRECTOR OF THE BUREAU OF CONSUMER FINANCIAL PROTECTION

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to resume consideration of Calendar No. 51.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read as follows:

Nomination, Bureau of Consumer Financial Protection, Richard Cordray of Ohio to be Director.

Mr. REID. Mr. President, I ask unanimous consent that the time until 11 a.m. be equally divided and controlled.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. At 11 there will be a cloture vote on the nomination of Richard Cordray to be Director of the Consumer Financial Protection Bureau. If cloture is invoked, there will be up to 8 hours of debate on the nomination.

The PRESIDING OFFICER. Who yields time?

Mr. REID. I ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Would the Senator withhold that request?

Mr. REID. Absolutely.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, we are going to move forward to the Cordray nomination, which has been held up for some period of time. I would like to thank everybody on both sides of the aisle who was engaged in this debate and discussion. I would particularly like to thank all of my colleagues who engaged in a long but productive discussion last night—which is our custom—of the many issues that separate us, particularly some pending, what many of us believe to be a crisis in the history of the Senate.

I wish to thank both our leaders, Senator MCCONNELL and Senator REID, and so many others who have been actively engaged in conversations that have been going on. I look forward to a vote as soon as possible on Mr. Cordray.

I thank all of my colleagues for believing what I thought was very important in our relations with the Senate.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we may have a way forward on this. I feel very confident, as you know. That is why we need the time. So what we are going to do is go into a quorum. I think everyone would be well advised, if they wish, to talk about substantive matters, if you wish to speak to Senator Markey. But we have a few i's to dot and t's to cross, I have to speak to the Vice President, and we are going to have a phone call to make with Senators SCHUMER and MURRAY. So everything is going well.

I will say I hope everyone learned a lesson last night, that it sure helps to sit down, stand, whatever it is, and talk to each other. It was a very good meeting that lasted 4 hours. People were still as highly engaged at the end of that 4 hours as they were in the beginning.

I think we see a way forward that will be good for everybody. There are a lot of accolades to go around to a lot of people. I certainly appreciate my wonderful caucus.

One of my Senators, who has a lot of humility, told me this morning: It doesn't matter what you ask me to do, I will do it.

I would hope this is not a time to flex muscles, but it is a time I am going to tell one person and no one else how much I appreciate their advocacy, their persuasiveness, persistence, and—a word that truly describes this man is hard to find.

I was told by another Senator: You know what this man did? I said: You know who he reminds me of? Bob Kerrey. I hope that doesn't disparage JOHN MCCAIN. But JOHN MCCAIN is the reason we are at the point we are. A lot of people have been extremely helpful. This is all directed toward JOHN MCCAIN from me. No one was able to break through but for him. He does it at his own peril.

Everyone, we are going to have a caucus today. We will explain in more detail the direction we are headed. I think everyone will be happy. Everyone will not think we got everything we wanted, but I think it is going to be something that is good for the Senate. It is a compromise. I think we get what we want; they get what they want—not a bad deal.

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. ENZI. 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. ENZI. Mr. President, I wish to speak today on the nomination of Richard Cordray to be the Director of the Consumer Financial Protection Bureau. I want to speak against this confirmation.

Why is this nomination important? Once the Director is approved by Congress, by the Senate—not all the Congress, just by the Senate—we will no longer have any control over a bureau that collects everyone's financial records in detail and can cancel a loan up to 180 days even if both parties to the loan are happy.

Mr. Cordray was recess-appointed. I think it was because the President thought he would not be approved by Congress.

What I am about to tell you already is under the direction of this nominee. That recess appointment put him in charge of the Consumer Financial Protection Bureau. It sounds like a good title, but the reason this is of utmost concern to me and has been for the past 3 years is the lack of congressional oversight and blatant privacy intrusions of the Consumer Financial Protection Bureau, the CFPB.

The Dodd-Frank Act, which created the CFPB, has been a hot topic of conversation since its passage in 2010. There are a lot of important discussions about different parts of the bill and some of the consequences we are seeing now, 3 years down the road. These are all important conversations to have, but today I am focusing on the Consumer Financial Protection Bureau.

The Bureau, as allowed by the Dodd-Frank Act, could direct up to $600 million every year, but it is not subject to the congressional appropriations process—the same congressional appropriations process that approves the budgets of the other agencies, such as the Securities and Exchange Commission and the Federal Trade Commission. Instead, the agency is funded from revenues from the Federal Reserve—the Federal Reserve—before the revenues come to the Treasury, funds that are supposed to be remitted to the Treasury for deficit reduction.

Some might ask: Isn't there a cap to the funding available to the CFPB? Yes, there is, but here is what it looks like. The cap was 10 percent of the Federal revenues for fiscal year 2010, 11 percent for fiscal year 2012, and it will be 12 percent for fiscal year 2013, with an inflation factor each and every year after that. This means 12 percent of the combined earnings of the Federal Reserve System, which was $4.98 billion in 2009. At that time, 10 percent would have been $500 million. These numbers are astonishing, and anyone saying that the Bureau is not funded by taxpayers is trying to pull a sleight-of-hand. The funds may not come directly from the Treasury, but taxpayers are going to have to take up the slack for funds they are no longer receiving from the Federal Reserve. I am not sure how we do that constitutionally, to move somebody outside and still take Federal money.

In addition, the Director of the Bureau has unlimited discretion over how the agency's money—these hundreds of millions of dollars I just talked about—is spent. Let me repeat that. The Director of the Bureau has unlimited discretion over how the agency's money is spent. He doesn't submit a budget. Nothing is approved.

Not only that, the Director is allowed to put fines and penalties collected by the Bureau into a slush fund that it does not have to return to the Treasury the way other agencies have to do. Do you think that might encourage a lot of fines and penalties by this Bureau? I think it would. I don't think it ought to be done that way.

The same Director who has so much unchecked authority doesn't even answer to the Office of Management and Budget and only has to submit routine financial information to the Office.

There is also no inspector general for this Bureau. Here is one example of why that is a problem. The Dodd-Frank Act expressly exempted auto dealers from the oversight purview of the Bureau. They listened to me when this bill was passing and found out that loans could be canceled within 180 days by the Bureau without the approval of the automobile dealer or the person who bought the automobile.

However, the Bureau doesn't think auto dealers should be exempt from oversight, so it found ways to exert itself through the banks. Banks are now looking at auto loans made, and the Bureau has issued its first significant penalty in connection with the vehicle financing.

The Bureau has also issued what it calls a fair lending guidance bulletin directed at institutions that make indirect automobile loans. In it the Bureau says indirect lenders will be viewed as participants in any discriminatory pricing by dealers due to their role in the auto loan credit decision process and suggests lenders impose controls on dealer markup and compensation policies. Is this revenge for them getting an exemption in the bill?

The Bureau's interpretation of Dodd-Frank and this guidance will have wide ramifications for indirect lenders and ultimately auto dealers. Because the bulletin issued is considered guidance and not a rule, there has been no opportunity for the public—including consumers, lenders, and dealers—to comment on this policy interpretation that will affect an industry that was exempted from the Bureau oversight.

The lack of accountability and congressional oversight over the Bureau's budget and Director are troubling, to say the least, but the picture becomes even more concerning when the lens is shifted to what kinds of oversight power are afforded to and being practiced by this Bureau—this Consumer Financial Protection Bureau. It sounds like it is for everybody.

Here is what I said when expressing my concern about this Bureau and the Dodd-Frank Act on May 20, 2010:

> This bill was supposed to be about regulating Wall Street; instead it's creating a Google Earth on every financial transaction. That's right—the government will be able to see every detail of your finances.

Your permission is not needed.

> They can look at your transactions from the 50,000 foot perspective or they can look right down to the tiny details of the time and place where you pulled cash out of an ATM or charged to your credit card.

Unfortunately, we are now finding this fear has become a reality. A recent Bloomberg article states that the Bureau is demanding records from banks and buying information from companies on at least 10 million American consumers for ''use in a wide range of policy research projects.'' This information gathering from banks includes credit card and checking account overdraft information as well as requirements to provide records on credit cards and on products such as credit monitoring.

In addition to the bank records it is collecting, the Bureau is collecting data on payday loans from debt collection agencies and building a mortgage database of loan and property records with information from agencies and other financial and property information holders.

The CFPD also says they are not including any personally identifiable information such as names and Social Security numbers while compiling all of this information. I made that statement at one of our listening sessions in Wyoming, and somebody from the audience yelled: No, they just check with the NSA.

What they are doing is taking all of that consumer data and layering it into consumer profiles to show a complete snapshot of each consumer's finances. For example, they can say: There is a consumer at a specified zip code who has $1,500 in the bank, $6,000 in credit card debt, $10,000 in student loan debt, and a $200,000 mortgage.

To the American people who are listening to me speak right now, what happens if you are one of the 10 million customers whose data is being collected? Does this make you angry and uncomfortable? What happens if you don't want all of your financial information compiled and used by the Bureau for policy research projects?

I am sure you would like to hear me tell you that you can call or write the Bureau and say you don't want the Bureau collecting your financial records from your bank, your student loan from a third party provider, your mortgage data, or your ATM data. I am sorry. You can't. You can't tell them to stay out of your records. It is not possible. If your data is being collected, you do not have the option to opt out nor does the CFPB need any kind of permission from you to gather your personal financial information.

This is another issue I tried to work on when the Dodd-Frank Act passed. I had an amendment that would simply require a privacy release, a signature from the consumer before the Bureau could collect the consumer's financial data. Unfortunately, my amendment was not accepted and we find ourselves in the situation we are in today: Americans cannot tell the government they don't want their personal financial information collected and stored.

What I would like to know is how this information is reining in Wall Street. The Dodd-Frank Act was sold to the public as a way to rein in Wall Street. As far as I can tell, it has turned out to be the perfect excuse for Big Brother to worm his way even further into our lives and our privacy.

Actually, Big Brother doesn't have to worm his way in. Dodd-Frank opened the door and invited him in, and that is what this lack of oversight is signaling. Go ahead and collect millions of consumers' information. Don't tell us what you are using it for, and don't feel the need to tell us much of anything else because this Director and this Bureau will not be accountable to Congress.

Meanwhile, the message we are getting from the Bureau, and some of my colleagues, is that Congress needs to sit back and butt out of the Bureau's business. We are hearing the message that asking for congressional oversight is akin to wanting consumers to be deceived and discriminated against.

Let's get one thing straight. None of my colleagues disagree that protecting consumers is important. We all want consumers to get a fair shake and be able to make informed financial decisions. I never envisioned the Federal Government making your financial decisions. I have championed financial literacy for much of my time in Washington and believe strongly in the value of individuals having the tools they need to make sound financial decisions for themselves and their families. I repeat: I never envisioned the Federal Government making your financial decisions, but that is not the issue. The issue is the need for checks and balances and for consumers to be able to make a choice as to whether their financial information is collected and used.

I cannot in good conscience, with these concerns weighing so heavily on my mind, support moving forward with the confirmation of a Director to the Consumer Financial Protection Bureau—the one already in charge of collecting your financial records—while doing a daily speech about his good work.

Wait until his confirmation. We will see more intrusion into our personal lives. Until it has changed so this man does not have this much power—power beyond anybody else in the Federal Government—there needs to be some changes that will balance consumers' protections with privacy protections and allow for a healthy and appropriate level of congressional oversight over an agency that wields this tremendous power and has its own source of revenue and no oversight. Not even an inspector general has this kind of power. Until that happens, I have to oppose this nomination. I hope my colleagues will join me.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from New Mexico

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. UDALL of New Mexico. Mr. President, this is a historic day in the Senate. These are qualified nominees. They have been delayed long enough. But we are also considering a larger

question; What kind of Senate do we want? What kind of Senate best serves the American people?

This is not about breaking agreements. This is about a Senate that is already broken. We once were called the world's greatest deliberative body, and we have become a graveyard for good ideas. The traditions of the Senate have been buried—buried under the weight of filibusters, of chronic obstruction, and by a tyranny of the minority. The Senate has been driven by unprecedented partisanship.

The agreement of this past January was modest. Some of us felt it was too much so. The leaders agreed to schedule the President's nominees in a timely manner, but that did not happen. That is not what we have seen. Nominees have been continually blocked—one after another, month after month. That failure doesn't just violate an agreement, it violates the trust of the American people.

People in New Mexico—people in the rest of the country—want to know: Who is minding the store? The answer, too often, is no one. As a result, important work is left undone. That is not by accident. It is by design, which is why we are here now. Because the months go by, and we don't have a Secretary of Labor. We don't have a National Labor Relations Board. We don't have an administrator of the Environmental Protection Agency. These, and other, vital agencies are adrift.

Their work matters for the people in my State, for all Americans who care about the rights of workers, the environment, health care, consumer protection, and the integrity of our elections.

The American people spoke in November. They re-elected the President. They expect a government to do its job, and gave the President the right to select his team to do that job. The people give the President that right, but a minority in the Senate does not. Find 60 votes or find someone else or leave the position empty. That is not the tradition of the Senate.

That is not advise and consent, it is obstruct and delay. In the end, it is the people of this country who are kept waiting.

These are qualified nominees. They should not be blocked yet again simply because you don't like their policy or their program, or the law they are commanded to uphold.

We have a chance here today—a historic chance—to restore the confirmation process. We have a chance to restore the Senate to how it has worked for over 200 years. I hope we will take this opportunity.

New Mexicans want a government that works, the American people want a government that works, and today they will be watching to see if, finally, it actually does.

In conclusion, I want to talk about the rules and what we engaged in yesterday, which I thought was a very productive endeavor. We had 3 hours with most Senators in the room in the Old Senate Chamber. We were able to exchange our thoughts outside of the limelight. I believe it was very productive.

We had a lot of ideas come forward. Some of those ideas to resolve this situation may end up being adopted in a little bit. It looks as though Richard Cordray, the attorney general from Ohio, will get cloture at this point—at least that is the way it is looking—and then we will have some debate on that nomination.

I have a couple of other points. First of all, Leader REID has incredible patience when it comes to this whole issue of executive nominations. I have seen him over and over go beyond the pale when it comes to patience. At this point he realized we were getting things clogged up, there was too much obstruction, so he needed to force the issue.

I am very proud he has done this because I think it has pushed us in the right direction. As a result, we are going to get executive nominees in place on a timely basis, and we are going to get rid of all the delay we have had.

I looked back in history at executive nominees. I remember my father when he became Secretary of the Interior in 1961. When I was first sworn into the Senate and came home, I told him we were having a hard time getting executive nominees in place. He said: Tom, the amazing thing, if you highlight the 50 years ago and 50 years later, is I had my whole team in place within 2 weeks. My entire team was in place in 2 weeks.

This is President Obama's fifth year as President, and he doesn't have his team in place. That is the issue. I know we are focusing on trying to do everything we can to find a solution as to how we allow a President who has been reelected—and by a pretty good margin—to have his team in place.

I am very confident that Senator JOHN MCCAIN is working on a compromise. He is a good friend to the family and somebody who cares about moving forward with the issues rather than obstructing the issues.

As everybody knows, he was part of the Gang of 14. Senator MCCAIN with 13 other Senators came up with that compromise to move us forward in terms of the gridlock that we were facing with judicial nominations. So I hope the discussions that are taking place are going to produce something.

I think it is a big breakthrough to see we are at the point where Richard Cordray, who has been waiting for 2 years—he is a very competent individual. He has served as the attorney general of Ohio, one of our biggest States. He is a great consumer protection person—is going to get cloture, we will have debate, and my sense is we are going to get him into that consumer agency, and it will make a big difference.

I see my good friend Senator CORKER, so I want to make sure he gets to speak before we have this 11 a.m. vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I thought last night's meeting was a healthy meeting. I am glad we did what we did. I appreciate the two leaders sponsoring that meeting, and I appreciate the time in which everyone spoke.

I think with a lot of phone calls having been made this morning we can and will move past the cloture vote for Mr. Cordray. I have had several conversations with him and others, this morning, but I do want to say this is a gesture of good faith. We will see what happens in a moment when the vote takes place and, obviously, in this body, nothing happens until it happens.

I hope Members on the other side will note this good-faith effort that is taking place in a few moments. I hope it is going to happen. I think it may.

I hope that over the course of the next 24 to 48 hours we can work in a little more comprehensive manner. I think this would be something to get behind us during this next year and a half so we can move on to solving our Nation's problems. I don't think it is healthy for this body to constantly have potential rules changes hanging over the issues of our Nation, and we do have big issues.

We have an opportunity, potentially, to get the immigration issue behind us. I know there are other pieces of legislation we could well deal with. In the event we do move into this postcloture period, I hope Members on the other side of the aisle will take note of that and will work with us constructively toward a solution that brings this place together instead of pulling it apart.

I thank the Senator for his efforts. Again, I empathize and sympathize with his family over the personal loss that just occurred. I look forward to working with the Senator from New Mexico as we move ahead.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and 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, hereby move to bring to a close debate on the nomination of Richard Cordray, of Ohio, to be Director, Bureau of Consumer Financial Protection.

Harry Reid, Tim Johnson, Barbara Boxer, Elizabeth Warren, Debbie Stabenow, Jon Tester, Al Franken, Jack Reed, Tom Harkin, Ron Wyden, Patrick J. Leahy, Amy Klobuchar, Robert P. Casey, Jr. Jeff Merkley, John D. Rockefeller IV, Max Baucus, Richard Blumenthal, Carl Levin.

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 nomination

of Richard Cordray, of Ohio, to be Director of the Bureau of Consumer Financial Protection, for a term of 5 years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The yeas and nays resulted—yeas 71, nays 29, as follows:

[Rollcall Vote No. 173 Ex.]

YEAS—71

Ayotte	Graham	Mikulski
Baldwin	Hagan	Murkowski
Baucus	Harkin	Murphy
Begich	Hatch	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Portman
Blunt	Hirono	Pryor
Boxer	Hoeven	Reed
Brown	Isakson	Reid
Cantwell	Johanns	Rockefeller
Cardin	Johnson (SD)	Sanders
Carper	Kaine	Schatz
Casey	King	Schumer
Chambliss	Kirk	Shaheen
Coats	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Udall (CO)
Corker	Levin	Udall (NM)
Donnelly	Manchin	Warner
Durbin	Markey	Warren
Feinstein	McCain	Whitehouse
Flake	McCaskill	Wicker
Franken	Menendez	Wyden
Gillibrand	Merkley	

NAYS—29

Alexander	Enzi	Risch
Barrasso	Fischer	Roberts
Boozman	Grassley	Rubio
Burr	Heller	Scott
Chiesa	Inhofe	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Lee	Thune
Cornyn	McConnell	Toomey
Crapo	Moran	Vitter
Cruz	Paul	

The PRESIDING OFFICER. On this vote the yeas are 71 and the nays are 29. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Pursuant to S. Res. 15 of the 113th Congress, there is now 8 hours of postcloture debate on this nomination, equally divided in the usual form.

The majority leader.

Mr. REID. I hope we don't have to use all of the 8 hours, but we will see.

Mr. REID. I ask unanimous consent the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings and that the time during the recess count postcloture on the Cordray nomination.

I express my appreciation for the strong vote this good man received.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. 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. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. What I should have done and will do now is ask unanimous consent that the time during this quorum call be divided equally on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. 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. MERKLEY. 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. MERKLEY. Mr. President, I thought I would make a couple of comments regarding the activities of this Chamber a few minutes ago. We had 71 votes in favor of closing debate on the nomination of Richard Cordray to be Director of the Consumer Financial Protection Bureau, the CFPB. The CFPB is vested with the responsibility of protecting consumers from predatory financial practices.

We all discovered in the runup to the great recession just how important this protection is. We had many crazy predatory practices.

On credit cards we had fees that came out of nowhere and shifting time periods from month to month in terms of when the payments were due, even shifting destinations of where the credit card payments got mailed to, and also fees that could be wracked up on unsuspecting consumers.

We certainly found out on mortgages how important financial protection is because we had, starting from 2003 forward, a booming industry in predatory teaser rate mortgages, where the mortgages might be 4 percent for 2 years but then were changed after 2 years to 9 percent. One would think most would-be homeowners would look at that deal and say: That is not a good deal. But here is what happened. They went to a mortgage broker, and the mortgage broker said: I am your financial adviser. Mortgages have gotten very complex, they are very thick, and there is a lot of fine print, so you are paying me to sort through and find the best deal for you.

So first-time home buyers trusted their mortgage brokers. Unbeknownst to the new homeowners, those brokers were being paid kickbacks called steering payments. They were being paid special bonuses outside the framework of the deal in order to steer the unsuspecting first-time home buyer—the customer—into a predatory loan when the first-time customer actually qualified for a prime fixed-rate mortgage. Well, those predatory mortgages proceeded to be put into securities, and those securities were bought up by financial institutions across America and beyond because the folks who were buying the securities understood that in a couple of years the interest rate would go way up and they would make a lot of money off those securities.

So this was a system rigged against the first-time home buyer, against the home buyer who wanted to start their journey to owning their piece of the American dream.

Those predatory practices should never have been allowed. Some here will remember the responsibility for consumer protection was vested in the Federal Reserve. But what happened in the Federal Reserve? The Federal Reserve carried on with its responsibility on monetary policy, but it put its responsibility for consumer protection down in the basement of its building. They locked the doors, they threw away the key, and they said let the market be the market. They abandoned our consumers across this country.

That is why we need a Consumer Financial Protection Bureau. It doesn't have a conflict in its mission. It is not obsessed with a different mission such as monetary policy. We need a bureau that says: New predatory techniques will crop up and we will try to end them, try to end practices in predatory payday loans that can charge 350 to 550-percent interest on unsuspecting citizens. We need a bureau that will look out and say we need to stop the practice on which online payday lenders get your bank account number and, without your permission, do a remotely generated check and reach in and grab the funds out of your account. The list of predatory practices is endless because the human mind is endlessly inventive. So we have an important bureau—but an important bureau that cannot do its job unless there is a director to run it.

Two years ago Richard Cordray was nominated to head the Bureau. He has been waiting to get cloture on his nomination and a subsequent vote for 2 years. He has been an interim appointee during that period of time and, by all accounts, from everything I have heard from folks in this Chamber, doing a very good job, working very hard with the great technical details of the financial world to find a fair and solid way forward.

The fact is his nomination, so long delayed, is not a reflection on him personally. In fact, many Senators who have opposed allowing the vote to take place have come forward and said it is not about him personally; it is about the Consumer Financial Protection Bureau. Forty-three Senators in this Chamber wrote a letter to say they would oppose any nominee for the Consumer Financial Protection Bureau. It was a bold attempt to change back to a situation where there was no one to fight for consumer protection for our citizens in this Nation.

Today we end that drama in favor of fairness for American citizens, in favor of taking strong action against predatory mortgages and the predatory practices of the future. In 8 hours we will be voting up or down on his nomination, as we should have long ago.

But let me shift gears here and say the vote we took today is symbolic of much more than the important function of establishing an effective Consumer Financial Protection Bureau. The vote we took a short while ago is central to ending the paralysis that has generally haunted this Chamber. That paralysis is something new. In

the time from Eisenhower's Presidency through Ford's Presidency, there was not one filibuster of an executive nominee. In President Obama's 4½ years, there have been 16 such filibusters. So if we talk about the norm and tradition of the Senate, the norm and tradition of the Senate is a reasonable and timely up-or-down vote. That is the tradition, and it is a tradition that fits with the Constitution. The Constitution calls for a supermajority for treaties to be confirmed, but it only embeds a simple majority requirement for nominations. There is reasoning behind that: because our Founders envisioned three coequal branches of government. They could never have envisioned it would be OK for the minority of one branch to be able to deeply disable another branch, be it the executive branch or be it the judiciary.

So the vote we took today is part of a larger conversation about ending the paralysis and focusing on the challenge of executive nominations getting timely up-or-down votes.

Mr. DURBIN. Would the Senator yield for a question?

Mr. MERKLEY. Absolutely.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Illinois.

Mr. DURBIN. Madam President, I first thank the Senator for his leadership. He has been the singular force in the Senate to have us reassess the rules of the Senate to make certain they are serving the needs of our Nation. I thank Senator MERKLEY for his leadership, and I know he felt a great sense of satisfaction with the vote that was just cast on the floor—a vote in which 71 Senators voted to invoke cloture and end the filibuster on the nominee to head the Consumer Financial Protection Bureau.

As the Senator from Oregon knows, this Bureau has been controversial since its inception when we passed the Dodd-Frank finance reform bill after the tragedies and scandals of Wall Street. There were many who did not want to see us create a consumer protection agency. Yet we did. It was the brainchild of one of our current colleagues, Senator ELIZABETH WARREN of Massachusetts, who, before she was elected, thought this was an important agency—literally the only consumer protection agency in the Federal Government. But it wasn't welcomed by some corners, particularly some financial institutions and others.

I think it is noteworthy at two levels, and I would like to ask the Senator from Oregon to respond. First, it is noteworthy that although it took 2 years, in that 2-year period of time this Consumer Financial Protection Bureau has proven its worth.

I am working now on the exploitation of our military by for-profit schools. Holly Petraeus, the wife of General Petraeus, works for this agency, and she has focused her efforts on military families and the exploitation of the GI bill by these schools.

I think every American would agree that those who are guilty of it should be held accountable, and this investigation is under way by this agency. Now Richard Cordray is there to head it. I think that is important, and that is why this vote which will be in a few hours on Richard Cordray's nomination is important.

But the second point is a larger global point about the Senate and perhaps Congress. We have in a very brief period of time—1 month—seen two very significant votes, in my estimation. The first was on the immigration bill, where 68 Senators voted for the immigration reform bill, 14 Republicans joining all the Democrats. It was a breakthrough, and most of us feel it was the first time in a long time that we have seen Senators of both political parties sit down and hammer out an agreement that was reflected in the vote on the floor: 14 Republicans, 54 Democrats.

Now we have the second evidence of bipartisanship with the vote that was just cast, 71 who came forward—some 17 Republicans and 54 Democrats, if I am not mistaken—voting in favor of ending cloture.

The point I would like to get to in this long question—and I would ask the Senator from Oregon for his reflection on this—it seems to me the key to getting things done on Capitol Hill these days, in a fractured political Nation, is bipartisanship—not just in the Senate Chamber but in the House as well, that they have to reach beyond the majority party—in our case Democrats and in their case Republicans—and start thinking about how we put things together on a bipartisan basis that have a chance of passing and ultimately becoming law and solving the problems facing our Nation.

When it comes to consumer protection, with a bipartisan vote, we move forward. A few weeks ago when it came to immigration reform, we had a bipartisan vote that moved forward. So I would ask the Senator to not only reflect on this institution and the earlier vote but on the current challenges we face politically and how these votes reflect on those.

Mr. MERKLEY. I would say to my colleague from Illinois that, indeed, these are key milestones where the journey is to restore the functionality of this Senate so it can take on the significant issues Americans expect us to take on.

The path forward is not yet one without obstruction. We have these two important milestones—one of going forward on immigration, a second of going forward in terms of putting a functioning Consumer Financial Protection Bureau fully together. We have had some other recent moments that fit this pattern, including passing the farm bill out of this Chamber for the second time, passing a Water Resources Development Act that would fund enormous amounts of infrastructure across this country to help provide both water supply infrastructure and wastewater treatment infrastructure. These are good moments. But we also are reminded that the path is not completely clear.

For example, at this moment we should be in the middle of a conference committee on the budget. The Senate passed a budget and the House has passed a budget, but the conference committee is being filibustered by this Chamber. That is evidence of the model we are trying to break that is unexplainable to the American people. Folks back home want to know why we can't get a bill on the floor of the Senate to address the sequester. Because fewer kids are getting into Head Start, fewer kids are getting their inoculations, title I schools are not getting their funding. And, of course, there is a lot of concern within the military world about our national security where programs are being compromised. But we couldn't get the bill to the floor of the Senate because it was filibustered.

So we have important milestones to grab hold of that are presenting a vision of the restoration of this Senate as a deliberative body, but we are going to have to work together in this bipartisan fashion we speak of to continue on this road.

Mr. DURBIN. I thank the Senator.

Mr. MERKLEY. Madam President, I appreciate my colleague from Illinois emphasizing the important role of bipartisanship in making this Chamber work. His question gave me an opportunity to talk about what has just transpired as an important victory—an important victory for this Chamber and its deliberation, an important victory for people across America, families working to have their financial foundation solid rather than torn asunder by predatory practices.

In this journey, this effort to achieve a Senate that can again function as a deliberative body, I want to take this moment to thank my colleague TOM UDALL. TOM UDALL and I came into the Senate together. TOM UDALL immediately recognized that the Senate needed to address its internal functioning because we were becoming more and more paralyzed. He proposed before this body that we have a conscious debate every 2 years about how to adjust the rules and to make this Senate Chamber work much better, because we are not only being paralyzed on executive nominations but we have this terrible paralysis on legislation, with a few important exceptions that my colleague from Illinois and I spoke about.

I want to thank Tom for his work to help motivate this body to take on these issues and to restore the functionality. I have been pleased to be a partner with him on this journey. I know it is a journey that is not yet done, but I do thank my colleagues—across the aisle and on this side of the aisle—for the very frank discussions last night in which for 3 hours we bared our hearts, if you will, about what is working and not working in this Chamber. That too is an important moment

in this journey to make the Senate work. So I applaud the spirit that came into the Chamber today that resolved the 2-year standoff in regard to having a functioning chair of the Consumer Financial Protection Bureau, and to set the tone, hopefully, for changing dramatically the partnership to restore the functioning of the Senate going forward.

I yield the floor.

Mr. SANDERS. Madam President, I am glad an agreement has been reached in which President Obama will finally get Senate confirmation votes on his appointees to the Consumer Financial Protection Bureau, the Department of Labor, and the head of the Environmental Protection Agency. This agreement, as I understand it, will also provide that the President's new nominees for the National Labor Relations Board will be rapidly confirmed. That is a step forward.

While this agreement addresses the immediate need for the President of the United States to have his Cabinet and his senior staff confirmed, this agreement today only addresses one symptom of a seriously dysfunctional Senate. The issue that must now be addressed is how we create a process and a set of rules in the Senate that allows us to respond to the needs of the American people in a timely and effective way—something virtually everyone agrees is not happening now. The Senate cannot function with any degree of effectiveness if a supermajority of 60 votes is needed to pass virtually any piece of legislation and if we waste huge amounts of time not debating the real issues facing working people but waiting for motions to proceed hour after hour where nobody is even on the floor of the Senate.

The good news is that I think the Nation is now focused on the dysfunctionality of the Senate and the need for us to have rules or a process that allows us to address the enormous problems facing our country. When people ask why is it that Congress now has a favorability rating of less than 10 percent, the answer is fairly obvious: The middle class of this country is disappearing. Real unemployment is somewhere around 14 percent. The minimum wage has not kept up with inflation. Millions of people are working in jobs that pay them poverty wages. Tens of millions of people today lack health care, while we have the most expensive and wasteful health care system in the world. The greatest planetary crisis facing our Nation and the entire world is global warming, and we are not even debating that issue.

The Senate is a very peculiar institution. It is peculiar in the sense that any one Member—one of 100—can come down here on the floor and utter two magical words that bring the Senate to a complete halt; that is, ''I object.'' I will not allow the Senate to go forward, which means the whole government shuts down. I object. I object.

What we have seen in recent years—especially since Barack Obama was elected—is an unprecedented level of ''I object,'' of holds, of a variety of mechanisms that bring the functioning of the Senate to a halt. All of this takes place at a time when millions of people cannot find jobs and at a time when kids are graduating college deeply in debt and millions of others are now choosing not to go to college because we are not addressing the issue of higher education. It takes place at a time when our infrastructure—our roads and bridges and airports and rail systems—is crumbling, when our educational system is in need of major reform, and the gap between the people on top and everybody else is growing wider.

The American people perceive this country has major problems that must be addressed. What does the Senate do? We are sitting here waiting 30 hours for a motion to proceed, to see if, in fact, we can vote on a piece of legislation that requires 60 votes. Time and time again we do not get those votes.

When votes come up, I would like to win, to be on the winning side. That is natural. Everybody would. But what happens here—and the American people by and large do not fully understand it—we do not vote on issues. What happens is the debate ceases because we do not get motions to proceed. So we do not vote on a jobs program, we vote on whether we can proceed to a jobs program to create millions of jobs. We do not vote on whether we can keep interest rates low for college students who are borrowing money, we vote on whether we can proceed to have the vote.

What we have seen in the last several years is an unprecedented level of obstructionism and filibustering. Between 1917 and 1967 there was more or less an agreement in the Senate that a filibuster would only be used under exceptional circumstances. There were only some 40 or 45 filibusters in a 50-year period. When Lyndon Johnson was majority leader in the late 1950s, in his 6-year tenure as majority leader he had to overcome a filibuster on one occasion. Since HARRY REID has been majority leader in the last 6½ years, he has had to overcome 400 filibusters or at least requirements for 60 votes. The amount of time we are wasting is unconscionable.

Furthermore, what the American people do not know is that time after time we are winning. We have the votes to win and have shown that on very important issues. In terms of one major issue, just as an example, right now, rather tragically, we have a situation as a result of the disastrous Citizens United Supreme Court decision that corporations and billionaires can spend hundreds of millions of dollars on elections.

As bad as that is, what is even worse, they can hide their contributions—not make them public. Guess what. The Senate by a majority vote said: That is wrong. If you are going to contribute huge amounts of money into the political process, the people have a right to know who you are.

We have a majority vote on this issue. We could not get it passed because we needed 60 votes.

The American people know our tax system is enormously flawed. We have major corporations—General Electric and other corporations—that in a given year, after making billions of dollars in profits, pay zero in Federal taxes. Legislation was passed on the floor of the Senate by a majority—legislation that begins to address that issue—but we did not have 60 votes.

We provided emergency relief to senior citizens who several years ago were getting no COLAs for Social Security. We had a majority vote but could not get 60 votes.

We had a majority vote to say that women should be paid equal pay for equal work. A majority of Senators said that. We couldn't get it passed.

What we have seen in recent years is reasonably good legislation getting a majority vote, but we cannot get it passed because time after time we need 60 votes. What we are operating under now is a tyranny of the minority.

The American people go to vote. They elect Obama President, and they elect a Democratic Senate. People who campaigned on certain issues—as people go forward trying to implement their campaign promises, they cannot do it because we cannot get 60 votes.

Once again, at one point in Senate history, from 1917 to 1967, the filibuster was used very sparingly—only in exceptional circumstances. Since that point, have Democrats—and I speak as an Independent—have Democrats abused the system? Have they been obstructionist? There are times when they have been. But since 2008 what has happened is the Republicans have taken obstructionism to an entirely new level. Virtually every piece of legislation now requires 60 votes, and virtually every piece of legislation requires an enormous amount of time.

What do we do? My colleagues on both sides of the aisle have made the point that the Senate is not the House. And they are right. In the House there are 435 Members and majority rules. The majority has a whole lot of power. The minority doesn't have that much power. People have said: We do not want the Senate to be like the House, and I agree with that. The Senate should not be the House.

Senate Members should be guaranteed the right to offer amendments, not be shut out of the process. Whether you are the minority or the majority, you should have the right to offer amendments. There should be thorough and lengthy debate. If a Member of the Senate wants to stand here on the floor and speak hour after hour to call attention to some issue he or she believes is important, that Senator has the right, in my view, to do that. If that debate goes on for a week, it goes on for a week. Senators, whether in the minority or the majority, have the right to call attention and to debate and focus on issues they consider to be

important. But at the end of that debate there must be finality. There must be a majority vote—51 votes should win. The concept I support is what is called the talking filibuster. Minority rights must be protected. They must have all the time they need to make their point. But majority rights must also be protected. If democracy means anything, what I learned in the third grade was that the majority rules, not the minority.

What is happening in our country is not only enormous frustration about the very serious economic and environmental problems we face, there is huge outrage at the inability of Congress to even debate those issues.

For example, I am a very strong believer that the minimum wage in this country must be significantly raised. It is now about $7.25. I would like it to go up to $10 an hour, and even at $10 an hour people working 40 hours a week will still be living in poverty, but we have to raise the minimum wage. My strong guess is that if we do not change the rules, despite overwhelming support in this country for raising the minimum wage, we will never get an up-or-down vote here on that issue because Republicans will obstruct, demand 60 votes, and filibuster the issue.

If my Republican friends are so confident in the points of view they are advocating, bring them to the floor and let's have an up-or-down vote. Let the American people know how I feel on the issue, how you feel on the issue, but let's not have issues decided because we could not get 60 votes for a motion to proceed. Nobody in America understands what that is about. Do you want to vote against the minimum wage? Have the guts to come and vote against the minimum wage. Do you want to vote against women's rights? Come on up, have your say, and vote against women's rights. Do you want to vote against global warming? Vote against global warming. At least let us have the debate the American people are demanding.

I will conclude by saying I am glad the President will finally be able to get some key appointees seated. I was a mayor so I know how terribly important it is for a chief executive to have their team around them. I am glad he will get some key appointees.

Everyone should understand that what we are doing today is dealing with one very small part of an overall problem, which is the dysfunctionality of the Senate. I hope—having addressed the immediate crisis—we can now go on and address the broader issue, which is making the Senate responsive to the needs of the American people. Let's have serious debates on serious issues and let's see where the chips fall.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

EXECUTIVE SESSION

NOMINATION OF RICHARD CORDRAY TO BE DIRECTOR OF THE BUREAU OF CONSUMER FINANCIAL PROTECTION—Continued

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. SCHUMER. I ask unanimous consent that all future time in quorum calls be divided equally between the two sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, during the debate over the budget, Dr. COBURN and I offered an amendment to create a separate and independent inspector general within the Consumer Financial Protection Bureau.

We introduced this amendment because, thanks to a quirk in Dodd-Frank, the Consumer Financial Protection Bureau is the only major Federal agency without its own inspector general. I think people know I tend to rely a great deal on inspectors general within the bureaucracy to be an independent check to make sure the laws are followed and that money is spent according to the law.

Dodd-Frank created the Consumer Financial Protection Bureau, but it did not create a protection bureau-specific inspector general. Instead, because Dodd-Frank funded the Consumer Financial Protection Bureau through the Federal Reserve, this Consumer Financial Protection Bureau ended up sharing an inspector general with the Federal Reserve.

This has created a problem. Right now, the Consumer Financial Protection Bureau's inspector general has a split role. He serves as both inspector general for the Federal Reserve and for the Consumer Financial Protection Bureau. I believe this creates a great deal of confusion and, obviously, a bureaucratic battle for resources. In fact, the inspector general has already had to create two separate audit plans. He also has had to hire employees who can oversee both the Federal Reserve and the Consumer Financial Protection Bureau.

The end result is an office split by two very important but very different priorities. Dodd-Frank created the Consumer Financial Protection Bureau within the Federal Reserve in order to fund the Bureau without having to come to us on Capitol Hill to get congressional appropriations. This is a problem but not a problem I am going to deal with right now. We had a marriage of convenience, the Consumer Financial Protection Bureau within the Federal Reserve.

The Bureau's function is very different from the Federal Reserve. Despite this, years after Dodd-Frank was passed, this unique situation remains. My concern is if you have one inspector general trying to cover two different entities, the end result is neither gets fully overseen. In other words, we don't have adequate checks within the bureaucracy to make sure that laws are abided by and that money is spent according to law.

Since the passage of the Inspector General Act of 1978, Congress has believed that each Department and each agency needs its own independent inspector general. This has been a longstanding bipartisan position.

Currently, there are 73 inspectors general, in every single Cabinet-level Department and almost all independent agencies. Even small independent agencies such as the Federal Maritime Commission and the National Science Foundation have their own inspector general.

In each of these agencies, if each of these agencies has their own independent inspector general, shouldn't the Consumer Financial Protection Bureau—particularly since this Bureau doesn't have to come to Congress for appropriations. We don't get appropriations oversight since some of their decisions can't even be challenged in the courts.

Now we are in this situation. The majority has opposed commonsense changes such as this to the Consumer Financial Protection Bureau.

During the budget debate when Dr. COBURN and I introduced the amendment to create a Consumer Financial Protection Bureau-specific inspector general, the majority would not allow it to be brought up for a vote. The position I heard over and over was the majority did not wish to relitigate Dodd-Frank in any way. I did not hear any concerns related to the merits of this proposal. Our amendment wasn't about relitigating anything, it was about creating accountability and oversight at the Consumer Financial Protection Bureau and doing that through an independent inspector general, such as 73

other independent agencies have these sorts of checks and balances.

Because the Consumer Financial Protection Bureau is funded directly by the Federal Reserve, there are few, if any, congressional oversight checks on the Bureau. This makes an independent inspector general even more important.

Right now, it seems to me, since we don't discuss Dodd-Frank very often, we don't have legislation related to it. We don't have opportunities to amend. This nomination of Mr. Cordray, now before the Senate, is the only tool the Senate has to create transparency and accountability within the Consumer Financial Protection Bureau. As we consider this nomination, I hope we will remember that and consider the Senate's role in overseeing the Consumer Financial Protection Bureau, what steps we can take to make the Consumer Financial Protection Bureau more transparent and, hence, more accountable to Congress, and in turn to the American people.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, now that the so-called nuclear option has been averted and the Senate can now turn its attention to other matters of substance, rather than internal matters of how the Senate operates, I think it is important we evaluate how legislation that has passed this body is working. I wish to focus specifically on the Affordable Care Act, which is better known as ObamaCare.

Amazingly, Senator REID on Sunday, in one of the talk shows, was quoted as saying: ''ObamaCare has been wonderful for America.'' The House minority leader, former Speaker PELOSI, has said that implementation of the health care law has been fabulous.

This stands in stark contrast to what Senator MAX BAUCUS, chairman of the Senate Finance Committee and one of the principal Senate architects of ObamaCare, has said—what he told Secretary Sebelius, the Secretary of Health and Human Services—that the implementation of ObamaCare is a train wreck in the making. And then you contrast that with what President Obama himself said about the Affordable Care Act, about ObamaCare, and he said it is ''working the way it is supposed to.'' Well, not all of those things can be true at the same time, and they are not. Indeed, in the real world, unfortunately, it looks as though ObamaCare is a slow-motion disaster in the making.

Notwithstanding the President's comments that it is working the way it is supposed to, the administration seems to be acknowledging by its own actions that it is not working the way it is supposed to. Indeed, the administration has chosen to delay the so-called employers mandate, and they have begun to admit what Americans have been saying since at least 2010 when ObamaCare passed—that it has simply proven to be unworkable.

Rather than accept the reality and support full congressional repeal of the law, the administration is instead refusing to enforce the law and is choosing to apply it selectively. The law clearly states that as of January 2014 all businesses with 50 or more full-time employees have to provide their workers with health insurance or else pay a penalty. To be clear, I didn't support the Affordable Care Act—ObamaCare—but that is what the law says. Our Democratic colleagues, 60 of them in the Senate, and the majority in the then-Democratically controlled House passed the law and President Obama signed it, and that is what it says. But the President has chosen to take unilateral action and to refuse to enforce the law that he himself signed and that congressional Democrats passed without a single Republican vote.

Whether you supported it or you didn't support it, many of us now are forced to acknowledge and I would think the administration itself would be forced to acknowledge, that the law simply is not working as advertised. It is now obvious that the employer mandate has prompted many businesses to reduce the number of hours and transform full-time jobs into part-time jobs in order to avoid the employer mandate. This has contributed to a surge in the number of people working part-time jobs for economic reasons. Last month alone that number was 8.2 million people—8.2 million Americans who would like to have full-time work but simply can't find it, in large part because of the implementation of ObamaCare.

As I said, I voted against ObamaCare 3 years ago. I remember being in this Chamber on Christmas Eve at 7 a.m. in 2009 when our Democratic colleagues passed ObamaCare without a single vote from this side of the aisle. Many of us were voicing concerns about the provisions of ObamaCare, including the employer mandate, long before it became law. The problems with the mandate will, of course, still be there in 2015 notwithstanding the 1-year unilateral delay by the administration, and they reflect broader problems in the Affordable Care Act as a whole.

I believe the most commonsense thing we can do is simply to repeal it and to start over and replace it with patient-centered reforms that actually address the biggest challenges that face most families in America.

The President said: If you like what you have in terms of your health coverage, you can keep it. Millions of Americans are now finding that not to be the case. The President said a family of four will find their premiums reduced, on average, $2,500. Actually, rather than a reduction in cost, they are finding their premiums are going up and will go up even more when ObamaCare is implemented.

My point is that whether or not you voted for ObamaCare, it is important that we now acknowledge the sad reality that it is not working the way even its most vigorous proponents wished it would. Indeed, it seems to be working out in a way most of its critics thought it would.

But what is important now is that we work together to give permanent relief to this public policy train wreck for individual Americans and for small businesses. That is actually how we are supposed to function under our Constitution. Even under uniformly Democratic control, as the Congress and the White House were the first 2 years of this President's term, if things don't work out the way even the most ardent proponents of a piece of legislation wish and hope it will, then our job under the Constitution is to work together to try to provide some relief and solutions for the American people. That is true whether you objected to the law in its first instance or you simply supported it. If it turns out not to work as advertised, it is our job to fix it, and we can do so by replacing it with high-quality care that is more affordable and is much simpler to use. Rather than have the Federal Government dictate to you and your doctor what kind of care you are going to get and under what terms, you can, in consultation with your private doctor, make those decisions in the best interest of yourself and your family.

The bigger problem is that President Obama is simply deciding which aspects of the law to enforce and which not to enforce, and that is becoming somewhat of a trend, based on political convenience and expediency. Time and time again he has made clear that if a law passed by Congress and signed by the President—whether it is him or another President—is unpopular among his political supporters, he will simply ignore it and refuse to enforce it.

Shortly after ObamaCare became law, the administration began issuing waivers from the annual limit requirements, which made it seem as if certain organizations—oftentimes labor unions—would simply be exempted from and would receive preferential treatment based on their political connections. Meanwhile, to help implement ObamaCare, the IRS has announced it will violate the letter of the law and issue health insurance subsidies through Federal exchanges, especially in those places where the States have declined to issue State-based exchanges, even though the law makes clear these subsidies can only be used for State exchanges.

Let me restate that. The law says you can only use taxpayer subsidies for State-based exchanges, but because many States have simply said that this makes no sense for them and are refusing to create State-based insurance exchanges, these individuals will now be

in the Federal insurance exchange. And even though the law says taxpayer subsidies are not available for those, the IRS is papering over that provision of the law and simply disregarding it.

Again, we have seen this time and time again. We saw a similar disregard for the rule of law during the government-run Chrysler bankruptcy when the company-secured bondholders received much less for their loans than the United Auto Workers' pension funds. Even though, under the law, these bondholders were entitled to the highest priority in terms of repayment, they were subjugated to the United Auto Workers' pension fund basically in an exercise of political strong-arming.

We saw this again in the Solyndra bankruptcy. Remember that? The Obama administration violated the law by making taxpayers subordinate to private lenders. In other words, they put the taxpayers on the hook rather than the private lenders who helped finance Solyndra.

More recently, the administration—and this is something that is in the news as recently as today—made unconstitutional recess appointments to the National Labor Relations Board and to the Consumer Financial Protection Bureau. The District of Columbia Court of Appeals held that the administration's argument in defense of its so-called ''recess appointment power'' would ''eviscerate the Constitution's separation of powers.'' It now appears, as part of the so-called nuclear option negotiations, that even the White House is now being forced to withdraw these nominees who were unconstitutionally appointed and offer substitute appointees.

We also know that the Obama administration unilaterally chose to waive key requirements of the 1996 welfare reform law and the 2002 law known as No Child Left Behind.

A government run by waiver or by the Federal Government picking winners and losers is the antithesis of equal justice under the law. Look across the street at the Supreme Court of the United States, and above the entry it says: ''Equal justice under law.'' That is the very definition of our form of government, which is designed for a congress comprised of duly-elected representatives of the American people and the President of the United States to write legislation that applies to everybody and not to issue waivers or exemptions or to simply refuse to enforce the law because it has proven to be inconvenient or not politically expedient.

The U.S. Constitution obligates the President to make sure all of our laws are faithfully executed. Yet, with President Obama, the pattern is unmistakable: inconvenient or unpopular legal requirements are repeatedly swept aside by Executive fiat.

If the law is not working the way it is supposed to, the President should come back to Congress and say: We need to amend the law. We need to replace this unworkable law with one that will actually serve the interests of the American people.

But we are not seeing that happen. We are seeing the White House decide on its own that it simply won't enforce a law. Last year, for example, the administration unilaterally announced a moratorium on the enforcement of certain immigration laws. In effect, when Congress failed to pass legislation the President wanted, the President himself simply decided not to enforce the immigration laws. As that example shows, this administration has frequently relied on unelected bureaucrats to override the people's elected representatives.

It is simply improper and unconstitutional under our system for the President to decide unilaterally that he is not going to enforce the law. For example, when Congress refused to enact the so-called card check for labor unions, the administration simply turned to unelected bureaucrats at the National Labor Relations Board. And when Congress refused to extend cap-and-trade energy taxes, the administration turned to unelected bureaucrats at the Environmental Protection Agency to attempt to accomplish the same objectives indirectly that had been prohibited by Congress because it couldn't get a political consensus for doing it directly. Indeed, the President has now authorized the Environmental Protection Agency to regulate virtually every aspect of the American economy without congressional approval and without recourse to the American people.

When Congress makes a mistake, when we do something the American people don't approve of, they get to vote us out of office if they see fit. That is not true with this faceless, nameless bureaucracy, which is rarely held accountable, and particularly when the President delegates to that bureaucracy the authority to regulate in so many areas and avoid congressional accountability and accountability at the White House.

Taken together, all these measures represent a basic contempt for the rule of law and the normal constitutional checks and balances under separated powers. After witnessing the President's record over the past 4½ years, is it any wonder why the American people and, indeed, Members of Congress were skeptical about his promises to enforce our immigration laws under the immigration bill that passed the Senate recently?

Remember all of the extravagant promises that were made for border security, for interior enforcement, for the implementation of a worksite verification system, for a biometric entry-exit system to deter 40 percent of the illegal immigration that comes when people enter the country illegally and simply overstay their visas? If after 17 years the Federal Government still isn't enforcing those laws already on the books, how in the world can the American people have any confidence whatsoever that the President and Congress can be trusted to enforce the laws that it passes?

After witnessing the President's performance, I think the American people are deeply skeptical of his promises of future performance, and his selective enforcement of our existing laws undermines public confidence in the Federal Government.

I believe the executive overreach I have described is corrosive to democratic government.

If a Republican President had ignored these kinds of constitutional checks, had refused to enforce laws he didn't like, refused to defend in court laws he didn't like, and used Federal agencies to flout the will of Congress, you can be sure our friends on the other side of the aisle would be complaining nonstop about the imperial President. Yet they have largely given President Obama a pass.

But whether you agree with the President on health care, immigration, energy policy, card check or other hot-button issues, we can all agree—we should all agree—that government should not be picking winners and losers and that we urgently need to restore the rule of law and faithful execution of those laws to their rightful place in the highest reaches of the Federal Government.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. 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. CARDIN. Mr. President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARYLAND'S BUSINESSES

Mr. CARDIN. Mr. President, my good friend Congressman STENY HOYER promotes America by using the phrase ''make it in America.'' The statement expresses the pride of our country, the ingenuity, the spirit of American workers, and the fact that we can compete against any country in the world on a level playing field. We can make it in America.

I rise today to share with my fellow Senators news of my recent visit to Maryland businesses that are contributing to our local and national economy through manufacturing innovation. As part of what I call my ''made in Maryland'' tour, I visited Volvo Group North America's manufacturing facility in Hagerstown, MD, and the Flying Dog Brewery in Frederick, MD.

A few weeks ago I toured the Paul Reed Smith guitar factory on the Eastern Shore. My ''made in Maryland'' tour has highlighted many of the leading job creators and key small businesses that have helped revive Maryland's manufacturing sector. The goal

was to meet employees and business owners, take stock of their challenges and successes, and identify ways the Federal Government can help them grow and innovate.

We have highlighted the diverse products being produced in our great State, and we celebrate the hard-working Marylanders who have made these products and the companies that are providing jobs in our local communities.

For example, the Paul Reed Smith guitar factory in Stevensonville, MD, makes high-end guitars used by some of the most prominent musicians in the world—including Carlos Santana. Paul Reed Smith has operated for nearly 30 years and now employs nearly 230 workers with revenues of $24 million. They are the largest private employer in Queen Anne's County, MD, and one of the top five employers on the upper shore.

As a region and country, we must stay focused on creating good jobs at home and strengthen and continue to build our economy. Manufacturing is good for Maryland, and it is good for America.

Let me tell you about my visit to Volvo Group, which employs 1,500 people in Hagerstown, MD—accounting for 1 out of every 10 jobs in the region's manufacturing sector. Employees at this facility are paid approximately 62 percent above the average wage in the region. These are good jobs that people are proud to hold.

Volvo has set the standard for environmentally aware manufacturing. Through its partnership with the U.S. Department of Energy, Volvo has developed the next generation of fuel-efficient engines and trucks. Since 2001, Volvo has invested $330 million to upgrade and renovate their facilities, allowing Volvo to build a state-of-the-art engine development laboratory to produce increasingly fuel-efficient engines.

This Volvo facility has shown outstanding success. Sixty of Volvo's trucks a day have the same emission as one truck in 1990. That is an amazing reduction of pollutants going into the air. In addition, the facility recycles 84 percent of the site's waste, and it has achieved an 83-percent decrease in the use of diesel fuels.

Furthermore, Volvo remains invested in western Maryland by making generous contributions to local health and welfare organizations, civic and community organizations, art and cultural organizations, and education initiatives across the region. This commitment to the well-being of Volvo employees is demonstrated by the August 2013 opening of an onsite Family First Pharmacy which will provide employees and their families innovative state-of-the-art health care to be provided by doctors, nurses, and pharmacists in cooperation with Walgreens.

As the Volvo facility is highly invested in the local community and its numerous employees, we must remain invested in assuring this socially responsible company's future success.

Later in the day I traveled to Frederick, MD, and visited the Flying Dog Brewery. They make a very different product than the most energy-efficient transmissions in the world that are assembled at Volvo, but I recognize the same qualities in both of these unique companies and their employees: hard work, attention to detail, and a real pride and passion for the product being made. These are qualities that can never be outsourced.

Small breweries such as Flying Dog have been anchors of local and American economies since the start of our history.

This is a state-of-the-art facility that constantly works to perfect its product through innovative techniques. In addition to making a product whose high quality I can attest to, they are supporting 80 jobs and reinvesting profits back into the western Maryland community.

When I grew up, brewing in Maryland was a huge industry. We lost most of it, but it is coming back. Today, the brewing industry in Maryland is supporting more than $13 million in wages paid and contributing nearly $100 million to our State's economy.

My ''Made in Maryland'' tour was conceived to highlight manufacturing and innovation that is boosting our economy across our State. But I can tell my colleagues that agriculture, which is still our No. 1 industry, is being revived along the way too. During my tour of the Flying Dog Brewery, I met a farmer and his son who are fifth- and sixth-generation Frederick County family farmers celebrating the 175th year of their family farm. They told me their decision to begin growing barley, small grains, and hops for local breweries is what kept their farm going. They supply small grains and hops to Flying Dog and numerous Maryland brewing companies for many of their seasonal, locally sourced brews. Their farm, Amber Fields Malting and Brewing Company, in conjunction with Brewer's Alley Restaurant and Brewery in Frederick, MD, introduced Amber Fields Best Bitter, which they describe as an English-style best bitter. This was the first commercially brewed beer in over 100 years to rely exclusively on barley grown and malted in Maryland. Amber Fields Best Bitter and additional releases also featuring locally grown ingredients are available through Brewer's Alley and their sister brewery, Monocacy Brewing Company, both in Frederick, MD.

America's manufacturing sector—from autos and truck manufacturing to beer makers and guitars—have played a major role in growing our economy and our Nation to be the world's leader. It has also helped create the strongest middle class in history. To continue in our recovery, we need to make sure companies such as Volvo Group, Flying Dog Brewery, and Paul Reed Smith Guitars, which are creating jobs and investing in our economy here at home, have what they need to be successful. Our job in Washington should be to make their job easier, because when they do better, we all do better.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. BARRASSO. Mr. President, there has been some confusion about the President's health care law recently, so I come to the floor to try to clear up one point.

Just before the Fourth of July holiday, the Obama administration admitted to the world that its health care law is not working out according to plan. It did it in an unusual way—in a blog post—right before the Fourth of July holiday, but yet it is known to the world. By choosing to delay the law's employer mandate, the President conceded it would place a tremendous burden on America's job creators.

Then, just this past Sunday, the Senate majority leader went on ''Meet the Press,'' on television, and said: ''ObamaCare has been wonderful for America.'' Wonderful for America? Senator REID's comments demonstrate once again that Democrats in Washington—the people who voted for this law—are not listening to the American people.

I hear it when I return home to Wyoming every weekend. I did this past weekend. I hear it as Members of the Senate do when they talk to friends from home. I heard it today from people from Gillette and Evanston and Cody that this health care law is unraveling. So I just want to make a couple of things clear to everyone.

After 3½ years, we know the Obama health care law is not working. It is a train wreck. If the law was wonderful, it wouldn't increase premiums. It wouldn't shrink paychecks. It wouldn't discourage job creation. If the law was wonderful, we wouldn't put the feared IRS as the enforcer of the health care law. If the law was wonderful, the administration wouldn't have delayed one of its most critical parts. It is clear to me that even President Obama does not share Senator REID's opinion that the health care law is wonderful.

This law is not wonderful for America. It is obviously terrible for America's job creators. It is also terrible for many people trying to make a living in this country.

There was an article on the front page of the New York Times recently—Wednesday, July 10—with the headline: ''At Restaurant, Delay Is Help on Health Law.'' The delay is a help.

This article—front page, above the fold of the New York Times—looked at

a small Maryland restaurant called the Shanty Grille. What is going on at that restaurant makes the case better than any actuarial study, any sort of charts or any economic model ever could because it is a story about real people and their lives. The article talked about how the law was hurting everyone from the owner of the restaurant to the uninsured waiter, to the chef who has insurance. All of them were hurt by this health care law. Because for each of these people and for millions of others similar to them across the country, the reality of health care reform is that it has fallen far short of the President's many promises.

According to this article in the New York Times, the restaurant's owner is on a pace to finally this year turn a profit. It will be the first profit since the economic downturn a number of years ago. Four years after the recession ended, he is finally set to recover and get back into the black. If he has to provide expensive Washington-approved, Washington-mandated health insurance for every employee, though, that profit will quickly evaporate. So that would certainly harm this employer.

What about the employees? Let's talk about the people this is designed to help. It turns out the younger workers at the restaurant actually aren't too interested in having this health insurance coverage. They say they would rather have more money in their paychecks so they could decide how they want to spend it, not how the President thinks they should spend it. So they stand to lose out once the law's individual mandate starts in January because they are going to have to go out and buy insurance which may be much more than they want or need or can afford.

The employees at the restaurant who already have health insurance are worried too. They are concerned they will not be able to keep their current coverage. When the President stopped his disastrous employer mandate, I believe he actually made the right decision, but I have some doubts about his reasoning. I think this was purely for political reasons.

Regardless of how and why the President made the decision, a 1-year delay in this one policy doesn't solve the problem; it only extends the problem.

First, this restaurant and other small businesses can't afford and can't expand or hire more staff because they still face the mandate in 2015. Actually, the final line in this article on the front page of the New York Times, when we carry over and read the end of it, says: We are not going to expand. ''No more expansion.''

Second, many businesses are cutting back workers to part-time status because of the health care law. President Obama has had nothing to say to those Americans looking for full-time work but trapped in a part-time job, and part-time is defined by the health care law, which is different than most Americans think of or define part-time work.

Third, the law still requires all of the employees, as with nearly everyone else in America, that they have to buy pricey health insurance starting January 1. That is a problem for the President and he knows it.

Here is how an article in Politico put it this past weekend. This article is entitled ''ObamaCare's Missing Mandate.'' It says:

> The massive coast-to-coast campaign to get people to sign up for ObamaCare is light on mentions of one central element: The widely disliked individual mandate.

The Politico article goes on to say:

> Poll after poll has found that Americans don't like being told they have to get insurance or face a penalty. So the groups doing outreach don't plan to draw much attention to it.

The employer mandate has collapsed. The individual mandate is unpopular, so they just don't want to talk about it.

A lot of the people who do have to buy this new Washington-mandated, Washington-approved insurance will have to buy it through the government exchanges. Of course, these may not be ready on time. There are 77 days left for these to be ready. Even if they are up and running by the deadline, we have seen ample evidence that premiums will be much higher than they were before the mandate. That is especially true for young healthy adults who the President expects to pay more in order to help older sicker people pay less. But a lot of younger healthier people are going to have to pay more for that one older sicker person.

These weren't the kinds of reforms Democrats promised when they were forcing this plan through Congress on strictly party-line votes. During the debate, Republicans made suggestions to improve the health care law, but we were shut out of the backrooms where the Democrats struck their deals.

In the end Democrats drafted their law so badly that the negative side effects and unintended consequences were inevitable. The New York Times article shows how some of these side effects are hurting millions of Americans—not just those working at the restaurant, including the restaurant owner, in Maryland.

We all know President Obama likes to hold photo ops with people who he says are helped by the law. It is time for him to meet with people such as the ones featured on the front page of the New York Times—people who are being hurt by his health care law. It is time for the President to sit down with both Democrats and Republicans to truly talk about how we can reform health care in this country. Delaying the employer mandate for 1 year is not enough. It doesn't eliminate the burdens of this costly law.

The House is scheduled to vote this week to delay the individual mandate. The Senate should do the same. It is time for the President and for Senator REID to listen to the victims of ObamaCare.

President Obama was right to recognize his health care law is not working out. Senator REID was totally wrong because ObamaCare is not wonderful for America. It is turning into a costly failure. The only appropriate course at this point is to permanently delay implementing the rest of the law and to replace it with reform that works.

I thank the Chair. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CRAPO. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAPO. Mr. President, earlier today the Senate held a first of a series of cloture votes on controversial nominations by voting to invoke cloture on the nominee to be the Director of the Consumer Financial Protection Bureau. This agency is unlike any other Federal agency. Under its current structure, the CFPB has very broad discretion but very little in terms of executive or congressional oversight.

It is not a debate about whether Republicans in the Senate support consumer protection, as some would portray it. Both sides agree everyone benefits from a mortgage industry and marketplace free of fraud and other deceptive, exploitive practices.

Republicans did not object to consumer protection when it was placed in each of the prudential banking regulators. In fact, bills aimed specifically at consumer protection passed with an overwhelming majority in the Senate. The Fair and Accurate Credit Transactions Act of 2003 passed 95 to 2, and the Credit CARD Act of 2009 passed 90 to 5.

During the Dodd-Frank debate, the key point of contention was not the value of consumer protection but, rather, the Bureau's design.

One of the lessons of the financial crisis is that we need a supervisory program that looks and considers how safety, soundness, and consumer protection work together to create a better functioning financial system. What Republicans have been asking for is that the Bureau be restructured in the same way as other similarly situated financial regulators, with accountability and transparency to Congress and to the taxpayers.

As outlined in two letters to the President sent by Republican Senators in May 2011 and this past February, the changes highlighted are not new. In fact, they exist in the current Federal regulatory landscape. One of the key changes we seek is the establishment of a board of directors to oversee the Consumer Financial Protection Bureau with staggered terms.

This is the structure of the Securities and Exchange Commission, the

Commodity Futures Trading Commission, the Consumer Product Safety Commission, the Federal Trade Commission, the Federal Deposit Insurance Corporation, and the Federal Reserve.

A board of directors would allow for the consideration of multiple viewpoints in decisionmaking and would reduce the potential for politicization of regulations.

Indeed, the administration originally supported a board of directors for the Bureau. In 2009, the Obama administration proposed a stand-alone Consumer Financial Protection Agency with a board of directors funded through the congressional appropriations process. The Bureau also should be subject to the congressional appropriations process, rather than, as the Dodd-Frank legislation did, to fund it through the Federal Reserve with no review by Congress.

While Mr. Cordray stated that he would come and testify before the Appropriations Committee, this is quite different than Congress being able to oversee how the monies that the agency utilizes are spent. For example, the CFPB intends to spend close to $100 million to renovate its current headquarters. This amount is double the amount that the Government Services Administration has for property acquisition and renovation in any 1 year.

Finally, consumer protection cannot and must not be detached from prudential regulation. Although the Bureau must consult with other prudential regulators before finalizing its rulemaking, the Bureau can simply disregard their advice.

By establishing a solid safety and soundness check for prudential regulation, the link and coordination between prudential supervision and protection would be strengthened by allowing potential regulators to provide meaningful input into the CFPB's actions and proposals. Such collaboration will only strengthen our financial system, not weaken consumer protection.

Without it, the CFPB and prudential regulators may issue rules that result in confusion for the regulated entities, as has already been the case with conflicting guidance for private student loans, and the many questions raised by the qualified mortgage final rule.

The Dodd-Frank solution was to have the Financial Stability Oversight Council review certain CFPB actions, but it set the threshold at two-thirds of the FSOC members. This very high threshold before the FSOC can act renders its veto virtually meaningless.

Since the beginning of this year, I have encountered a number of items with the CFPB that are a cause of concern and warrant greater scrutiny, but it is the Federal agency's data collection initiative that is the most disturbing to me. Recently, we learned from press accounts—not from the agency but from press accounts—that the CFPB was spending tens of millions of dollars to collect Americans' credit data. We have learned from the recent IRS, Associated Press, and NSA scandals what happens when government agencies cross the line and watch our citizens instead of watching out for them. There is a trust deficit in government today.

During the last several months, I have raised significant concerns with the CFPB's data collection efforts. I have been told that the Bureau needs big data to level the playing field. However, the Bureau's efforts go far beyond simply leveling the playing field. Unfortunately, for an agency that prides itself on transparency, I have encountered very little concrete answers to very basic questions.

For example, I have asked the Bureau on three occasions to give me information on the number of Americans' credit accounts that the CFPB is currently monitoring. In response, the CFPB said the information was confidential and could not be supplied.

Information coming from last week's hearing in the House Financial Services Committee indicates that the CFPB is undertaking unprecedented data collection on possibly hundreds of millions of Americans' accounts, possibly as many as 900 million credit card accounts in the United States. The size of this data collection and the amount of money being spent by the agency are a cause of concern and should be for those Americans whose financial and credit data is being sent to the Bureau each and every single month.

The CFPB is collecting credit card account data, bank account data, mortgage data, and student loan data. In addition, the Bureau has hired third parties to act as its agent to collect, aggregate, and produce consumer credit data on behalf of the agency. Some contracts even contain instructions to follow specific consumer accounts over time.

This ultimately allows the CFPB to monitor, on a monthly basis, an individual consumer's financial activity. Some of the data collected and provided to the CFPB monthly includes account balances, ZIP Code+4 location data, the year of birth, and other demographic information. Thus, the CFPB can know how much you owe, how much money you have, how much you pay each month, and where you live within a few blocks.

The Bureau has stated publicly on several occasions that it does not collect personally identifiable information other than the voluntary personally identifiable information consumers submit to the Consumer Complaint Database and in supervisory exams. However, two documents drafted by the CFPB seem to raise doubts about this Federal agency's actions.

Pursuant to the Privacy Act of 1974, the CFPB's System of Records Notice of November 2012 for the consumer and market research database states that some of the collected data ''will be personally identifiable information.'' In addition, a CFPB contract with a third party data aggregator states:

> Most, if not all, of the data will be confidential supervisory information, and some of the data will contain sensitive Personal Identifiable Information (PII).

Questions still remain about what type of personal information is collected by the CFPB and what is collected by the agency's contractors. But without the structural changes to the agency that we are asking for, it is hard to get answers to the question.

At the hearing in the House last week, a CFPB official was unable to state how many agency employees have access to this enormous amount of credit data. He was also unaware of any law which is used when employees access the data.

I also question whether the Bureau has put in proper policies and procedures to prevent the data from being reengineered and reverse engineered. I consider these to be very serious privacy concerns by the very agency that was created to watch out for consumers, not to watch consumers.

Banks constantly worry about cyber attacks. Recent news reports have run stories about the Federal Reserve and the IRS being susceptible to cyber attacks.

What assurances do we have from the CFPB that these massive troves of consumer credit information are safe? Data safety is particularly of concern, given that both the GAO and the CFPB's inspector general have found weaknesses in the CFPB data security programs and policies.

Because I was unable to get sufficient answers out of the CFPB, I turned to the Government Accountability Office and requested that it look into the agency's data collection and security efforts. That review is now underway.

With regard to the regulatory role of the agency, in the past 2 years the Bureau has issued numerous new rulemakings, resulting in significant cumulative burdens for affected institutions, especially small and community banks that often only have a handful of employees. Remember, there is no board directing this agency. There is no board to whom the Director of the agency responds. One single individual has been given the authority in this statute, without oversight by Congress of his or her budget, to single-handedly issue rules and regulations.

In the span of 10 days this past January, the CFPB issued more than 3,500 pages of final rules affecting mortgage markets and other industries. This represents more than 1 million total words of regulatory text. When I asked at an April hearing about the overwhelming number of regulations the Bureau issued in 1 single month, I was told that there were ''less than 100 pages of rules'' when translated into the Federal Register.

Well, 100 pages of rules is a lot, but this ignores the more than 2,500 pages of guidance, analysis, and interpretations—which are all admissible in court—and all of which are required reading for anyone who has to comply with this complex web of rules.

In order to understand and comply with these regulations, institutions are forced to hire lawyers and compliance officers, tying up resources that could be better spent on growing business, creating jobs, and boosting the economy. Again, recall that the connection between safety and soundness regulations was severed with the creation of this agency.

Instead, these additional compliance costs are inevitably passed on to the consumers, which is especially harmful during a time of high unemployment and sluggish economic growth. If we were convinced that the agency was at least protecting consumers rather than collecting data on all individual Americans who have credit cards, student loans, mortgages, or bank accounts, then perhaps we could at least engage in a discussion or a debate about whether the agency's actions are appropriate and effective.

I am concerned that without the strong cost-benefit analysis and input from the small business panels in crafting rules, even well-intentioned rules could make consumer credit more expensive and less affordable.

Another concern I have with the CFPB is the enactment of policy changes outside of the established notice-and-comment rulemaking process.

In March, the CFPB posted a legal bulletin on its blog instructing auto lenders to adjust compensation practices to avoid violating fair lending laws. The bulletin includes significant legal interpretations and suggests that the Bureau may utilize its enforcement powers to ensure that lenders adhere to its guidance.

The only example the CFPB uses in this bulletin on how auto lenders can effectively comply with fair lending laws is flat pricing, as is interpreted by many, that any other type of pricing will be a clear violation in the CFPB's eyes. If the CFPB intends to make major policy changes, then it needs to go through a regular notice-and-comment rulemaking, not a blog post.

This bulletin also, frankly, represents a backdoor attempt by the CFPB to regulate auto dealers, a group that is explicitly exempted from the CFPB's regulatory purview by the Dodd-Frank legislation that created the agency, in what appears to be yet another example of CFPB's overreach.

In conclusion, I will continue to work toward oversight of the agency to ensure accountability and transparency for the American people. Those who are trying to paint our demands as being extraordinary need to look at the extraordinary data collection and actions of this agency and look at our regulatory landscape with similarly situated financial regulators.

Those who are trying to portray these demands as another attempt to water down consumer protection need to realize that consumer protection divested from safety and soundness does not make for a better financial system or for greater benefit to consumers.

We found in our review of the CFPB that the agency does have serious problems in a number of different areas. The lack of prompt and complete responses from the agency regarding its big data collection of Americans' credit accounts is very troubling but is indicative of the lack of transparency established when this agency was created.

The expenditure of nearly $100 million for building renovations is extremely troubling in these tight economic times.

While the confirmation of the nominee is now all but certain, there remains significant work and oversight to ensure the CFPB is an accountable agency and that it is transparent in its actions for all Americans to see.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, did my friend from Idaho suggest the absence of a quorum?

The PRESIDING OFFICER. No, he did not.

Mr. REID. Mr. President, I will talk for a minute about the National Labor Relations Board nominees.

The NLRB has helped to protect the rights and safety of workers for about 80 years. It is a vitally important watchdog for working Americans. It is also important for employers. It also protects employers. But unless we act before the Senate recess in August, the NLRB will lose its ability to operate. It will fail to have a quorum so it can't work or be effective. So the confirmation of full membership at the NLRB is a priority.

I understand Republican Senators were frustrated by President Obama's recess appointment of two members to the NLRB. I accept that. No one has raised any questions, however, about these two good people—Griffin and Block. They are fine public servants and the record should be spread with that fact. Republicans have insisted on the President's nominating new people, and he has done that. It is a right they have, and this is a compromise that was reached.

Republican Senators have also committed that the Senate will confirm these new nominees quickly, certainly before the end of this month—the month of July. To that end, I met earlier with Senators HARKIN and LAMAR ALEXANDER, the chairman and ranking member of that big HELP Committee, and they have given me their word they are going to file a notice tonight that the committee will hold a hearing on these nominees on Tuesday, they will then have a markup on Wednesday, and we intend to turn to these nominees next Thursday.

I have talked with the people at the White House, and I am confident these nominees will be staunch advocates for the NLRB—for the rights and safety of workers, and for employers that are also protected with this legislation. So when the Senate confirms them, the NLRB will once again have a full team to protect the rights of workers—the workers in West Virginia, workers in Nevada, and all over the country—the same thing they have done for 80 years.

Mr. President, I ask unanimous consent that the cloture motions with respect to Calendar Nos. 100, 101, and 104 be withdrawn; that the vote on the confirmation of the Cordray nomination occur at 5 p.m. today; that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; and President Obama be immediately notified of the Senate's action; finally, that the vote on the motion to invoke cloture on the Hochberg nomination occur at 10 a.m. tomorrow, Wednesday, July 17.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. 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. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Richard Cordray, of Ohio, to be Director, Bureau of Consumer Financial Protection?

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 66, nays 34, as follows:

[Rollcall Vote No. 174 Ex.]

YEAS—66

Baldwin	Graham	Murkowski
Baucus	Hagan	Murphy
Begich	Harkin	Murray
Bennet	Hatch	Nelson
Blumenthal	Heinrich	Portman
Boxer	Heitkamp	Pryor
Brown	Hirono	Reed
Cantwell	Isakson	Reid
Cardin	Johnson (SD)	Rockefeller
Carper	Kaine	Sanders
Casey	King	Schatz
Chambliss	Klobuchar	Schumer
Coburn	Landrieu	Shaheen
Collins	Leahy	Stabenow
Coons	Levin	Tester
Corker	Manchin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCain	Warner
Feinstein	McCaskill	Warren
Flake	Menendez	Whitehouse
Franken	Merkley	Wicker
Gillibrand	Mikulski	Wyden

NAYS—34

Alexander	Boozman	Cochran
Ayotte	Burr	Cornyn
Barrasso	Chiesa	Crapo
Blunt	Coats	Cruz

Enzi	Kirk	Scott
Fischer	Lee	Sessions
Grassley	McConnell	Shelby
Heller	Moran	Thune
Hoeven	Paul	Toomey
Inhofe	Risch	Vitter
Johanns	Roberts	
Johnson (WI)	Rubio	

The nomination was confirmed.

The PRESIDING OFFICER (Ms. WARREN). Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The majority leader is recognized.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate resume legislative session and proceed to a period of morning business with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

ORDER OF PROCEDURE

Mr. BROWN. Madam President, I ask unanimous consent that Senator STABENOW be recognized for up to 3 minutes and that I be recognized for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FARM BILL

Ms. STABENOW. Madam President, I appreciate my friend from Ohio yielding for a moment. I wanted to make a short statement as it relates to moving forward on the farm bill and congratulate the House for sending their version of the farm bill to us this morning.

Tomorrow it will be our intent—Senator COCHRAN and I—to go through the motions that it takes to be able to send our farm bill back and ask for a conference committee. I wanted to let all the Members know that. If there is a concern, I would appreciate that Members approach me or Senator COCHRAN directly because this is an opportunity for us to move forward and actually put together this bill. The farm bill affects 16 million people in this country who work in agriculture, as well as everyone who counts on the great work of our farmers in order to have the healthiest, most affordable food system in the world.

Tomorrow it is our intent to move forward on the farm bill, so if there are any questions or concerns from Members, we are happy to work with them.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I thank the chairwoman of the agriculture committee for her work. This is legislation that saves taxpayers literally tens of billions of dollars while strengthening the safety net. The bill provides adequate revenue and nutrition for literally millions of people—children, seniors, people on disability, and people who work in low-income jobs—and that is also important in this agriculture bill.

CORDRAY CONFIRMATION

Mr. BROWN. Madam President, in the years leading up to the financial crisis, the biggest banks and lenders created new ways to make record profits off of consumers. They made predatory loans to working-class families, created prepaid cards with exploitative fees, and gave out student loans to first-generation college students with interest rates sometimes as high as 20 percent.

Today millions of consumers are still trying to recover from these unscrupulous practices while companies keep looking for new ways to increase their profits at the expense of these consumers. Congress created the Consumer Financial Protection Bureau to protect Americans from consumer fraud and abusive fees and products.

I thank the Presiding Officer for her role in this before she came to the Senate.

More than 700 days since its creation, American citizens are now just getting to vote for a consumer watchdog to head the organization. Because of the CFPB, consumers can now decipher credit card applications and have help correcting erroneous credit reports.

Because of these successes, confirming Richard Cordray as the Director was right. We know where he stands. We know for whom he stands—as a strong advocate for consumers, families, and small businesses.

No one doubted Richard Cordray's qualifications or temperament for the job. This is the first time in American history when one party refused to confirm a nominee because they didn't like the agency. A terrible precedent was being set. Thankfully a number of our colleagues understood—as we discussed last night—it was important to move past that.

Richard Cordray served as Ohio's first State solicitor. He represented the U.S. Government before the Supreme Court. He has been elected the attorney general and State treasurer of Ohio. He has received bipartisan accolades and support from Ohio's business and consumer groups.

Let me share a bit of a letter written by a Republican Member of Congress from my home State, Representative STEVE STIVERS.

> Rich has always proven himself hard-working, collaborative, and pragmatic.
>
> If you take the time [. . .] to evaluate Rich's character and disposition, you will find him to be an individual who listens to your opinion and seeks mutually acceptable solutions.

Representative STIVERS is right. Under Cordray's leadership, the Bureau has earned praise from industry and consumer groups alike for the rules it has come up with. It has already recovered millions of dollars for consumers from credit card companies, credit repair companies, and others. That is why consumers won a victory today and should be happy that the 2-year-long process that has prevented Richard Cordray from being considered has finally come to an end and we can now move forward.

I thank the Presiding Officer.

TRIBUTE TO EDWARD EARL GIDCUMB

Mr. MCCONNELL. Madam President, I rise to pay tribute to a distinguished Kentuckian who is looked up to and admired by many in the Commonwealth for his character and his service to our country: Mr. Edward Earl Gidcumb. Mr. Gidcumb, or ''Earl'' to his friends, celebrates his 88th birthday this July 31. He served America during World War II as a storekeeper, second class, in the U.S. Navy, and survived some harrowing experiences.

Earl's story is commemorated in a book titled ''WWII DC: The Long Overdue Journey,'' which details the experiences of World War II veterans from Kentucky and describes a trip made by these Kentucky veterans to the Nation's capital in 2004 to visit the National World War II Memorial. Earl still is an active participant in the Kentucky veterans community as one of the few buglers left in western Kentucky; he plays taps at military funerals and civic events. Earl also contributed to the establishment of the Kentucky Veterans and Patriots Museum in Wickliffe, Kentucky.

Earl was a high-school student when the Japanese bombed Pearl Harbor on December 7, 1941. He graduated from high school on May 23 of 1943; on May 25, he was sworn into Naval service in Marion, IL.

Earl underwent training in Chicago and then served aboard several vessels, the first of which, the U.S. Navy ship LST 218, was bound for Pearl Harbor. Earl recalls, ''water supply was very short and we took salt-water baths using a special soap for bathing in salt water. We slept in bunks stacked six high and down below the main deck . . . I started out in the Atlantic Ocean and ended up on the Pacific Ocean.''

Earl spent time in Pearl Harbor before being posted to the USS *Indianapolis* CA 35, a heavy cruiser. He received five battle stars while serving on the *Indianapolis* for 10 months. A few months after being transferred off that ship, the *Indianapolis* was sunk by a Japanese submarine.

''I would not be here today if I had remained aboard the *Indy*,'' Earl says. ''The second torpedo of the two that sunk it hit the part of the ship where I slept each night. There [were] 1,196 aboard, 800 went down with the ship, [and] 317 survived after several days in the water. Some died from their wounds, some were eaten by sharks,

and the balance drowned. It was the Navy's worst naval disaster.''

Earl was transferred to Oregon, where he was joined by his wife, Jean Moore. Earl and Jean were high-school sweethearts and got married when Earl went home on 30 days' leave. After 45 years of marriage, sadly, Jean passed away in 1989.

Earl was reassigned again, this time to the USS *Bottineau* APA 235, a troop carrier. The ship went to Japan not long after the dropping of atomic bombs on Hiroshima and Nagasaki. They received occupation troops from Honshu, Japan. Earl earned another battle star for an encounter with a Japanese suicide plane in Okinawa Bay. After 2 years, 8 months, and 9 days of faithful service, Earl was discharged in 1946.

Looking back nearly 70 years later, Earl recalls the lessons he's learned. ''I was only 17 when I entered service,'' he says. ''I had no idea what I was facing . . . I had no reason to be scared.''

''I saw men put in LCVP vessels and sent to do battle on the beach to take the island back from the Japanese. I saw some of the same men brought back in body bags. I saw 450 Japanese planes shot down in the Battle of the Philippine Sea, all in one day. I saw a Japanese Zero so close I could see the orange Japanese flag on the side of the plane. I saw body parts of Japanese soldiers scattered everywhere when I went over the Island of Tarawa. We lost 8,000 Marines of our own. This was my first battle.''

Madam President, I am grateful heroes like Mr. Edward Earl Gidcumb are still able to transmit their wisdom and share their stories with the rest of us. The life story of Mr. Gidcumb is certainly inspiring. I know my colleagues in the U.S. Senate join me in thanking him for his valiant service to our country. It is thanks to him and his fellow soldiers that America was able to triumph in World War II and advance freedom and democracy.

COMBATING PRESCRIPTION DRUG ABUSE ACT

Mrs. BOXER. Madam President, last week I introduced The Combating Prescription Drug Abuse Act, a bill to create a commission to recommend best practices for preventing and reducing prescription drug abuse. I believe this bill is a necessary step in addressing our Nation's fastest-growing drug problem, which has been classified as an epidemic by the Centers for Disease Control and Prevention.

An estimated 52 million people—20 percent of those aged 12 and older—have used prescription drugs for nonmedical reasons at least once in their lifetimes. Nearly one-third of people aged 12 and over who used illicit drugs for the first time in 2009 began by abusing a prescription drug. In 2008, the number of opioid pain reliever deaths throughout our population was four times higher than cocaine and heroin deaths combined.

This epidemic ruins the lives of all segments of our population, and the problem is only getting worse, especially for women. Men are still more likely to die of prescription painkiller overdoses—over 10,000 deaths in 2010—but women are tragically catching up. A Centers for Disease Control and Prevention survey earlier this month found a 400 percent increase in women dying from prescription painkiller overdoses between 1999 and 2010, compared to 265 percent among men. During that time, nearly 48,000 women died of prescription painkiller overdoses. In 2010, prescription drugs were involved in 85 percent of the drug-specified deaths among women. And for every woman who dies of a prescription painkiller overdose, 30 go to the emergency room with related complications.

I applaud the unyielding work of the law enforcement and health provider communities in working to address this epidemic, but it is clear that we need to do more. My bill would create a 2-year, 30-member commission led by the Federal Drug Enforcement Agency and Food and Drug Administration tasked with issuing recommendations on how best to reduce prescription drug abuse.

Other members of the commission include representatives from law enforcement, patient groups, pharmacies, dispensers, and community-based organizations, just to name a few. Importantly, both local and Federal stakeholders must be included, from both law enforcement and health care. The commission would be required to hold at least two public hearings to receive input on best practices. The end product would be a report requiring specific recommendations, and again, local input is mandatory.

The time has come to revive the conversation on this critical issue within and among our law enforcement and health care communities and across the Federal/local divide. I am proud that support for this bill is broad, ranging from the National Association of Drug Diversion Investigators and the Peace Officers Research Association of California, to the American Academy of Pain Management and the National Association of Chain Drug Stores. I urge my colleagues to support the Combating Prescription Drug Abuse Act.

NATIONAL LAKE APPRECIATION MONTH

Mr. CARDIN. Madam President, July is National Lake Appreciation Month. This nationwide initiative is sponsored by the North American Lake Management Society, a non-profit organization focused on making partnerships between citizens, scientists, and professionals to protect our Nation's lakes and reservoirs. National Lake Appreciation Month began in 2012 as a way to encourage us to explore and enjoy America's many beautiful lakes, as well as increase efforts to clean and protect them.

In addition to recreational uses such as boating, fishing, and swimming, lakes provide a variety of environmental and health benefits. They absorb rainfall and runoff from land, help prevent floods, provide drinking water, regulate the climate, and provide homes for precious wildlife. The Environmental Protection Agency's National Lake Assessment, conducted in 2007 and again in 2012, revealed that many of our lakes are imperiled due to poor nearshore habitat, too many nutrients, invasive plants and animals, and other threats. By protecting the health of our lakes, we defend the vitality of the animals and plants that depend on them and ensure that we can enjoy them for years to come.

This year, Maryland has joined 23 other States in celebrating National Lake Appreciation Month and in affirming the importance of lakes for our drinking water, energy production, food production, and recreational value. Maryland boasts 60 large lakes over 5 acres in size, and over 100 lakes in total. We use these lakes for fishing, boating, and other outdoor recreation, as well as for energy. For example, Deep Creek Lake, our largest inland lake in Maryland, consists of 65 miles of shoreline, 18 species of fish, and a wide variety of other animal and plant species, some of which are endangered. The lake also powers the Deep Creek Hydroelectric Power Plant, which provides energy not only to Maryland, but also to communities in Pennsylvania and New Jersey. So far we have been able to keep this and other Maryland lakes healthy. In a recent test, it was found that Deep Creek Lake's water clarity was still at a level similar to that of 1957. As factors such as pollutants and runoff increasingly threaten the health of our lakes, it is important that we continue to work to fight against them.

I am pleased to celebrate National Lake Appreciation Month, to encourage people both to enjoy America's beautiful lakes, and to do their part to keep them clean and healthy. Lakes are a very important part of our ecosystem in Maryland. We must continue to increase our efforts to care for our lakes and show our appreciation for all that they provide us.

ADDITIONAL STATEMENTS

TRIBUTE TO STEVE SCHORR

• Mr. HELLER. Madam President, today I wish to recognize Steve Schorr, vice president of public and government affairs for Cox Communications in my home State of Nevada. After more than two-and-a-half decades of dedicated service to his company as well as to the community, Steve is retiring this year. Steve not only leaves a lasting legacy as a leader in broadcasting and in business, but he also enters retirement having made a profound impact as a civic volunteer and

philanthropist. His many contributions to Southern Nevada's development and quality of life are truly remarkable and will be felt by Nevadans all across the State for years to come.

Prior to his tenure at Cox Communications, Steve established a strong reputation as a journalist, earning multiple Emmy Awards, two National Freedom Foundation Awards and an Armstrong Award for Broadcasting. He was also inducted into the inaugural class of the Nevada Broadcasters Association's Hall of Fame. During his time as vice president of public and government affairs for Cox Communications, Steve has been a tireless advocate for community development and economic growth. As a business executive, he has contributed to the expansion of his company, working closely with local, State and Federal Governments on issues that were critical to Nevada's private sector.

In addition to his commitment to excellence in broadcasting and in business, Steve has consistently exemplified the very highest standards of community service. He has devoted his time to improving education in Nevada, as an adjunct professor at the University of Nevada, Las Vegas Greenspun School of Communications. Steve Schorr Elementary School in Las Vegas is named in his honor. In addition, he has been honored with the U.S. Department of Justice J. Pat Finley Lifetime Achievement Award for his work on behalf of missing children in Southern Nevada. He also devotes his time as a member of numerous civic boards and organizations, and has received the Governor's ''Point of Light'' Award for his exceptional volunteerism.

I want to acknowledge and thank Steve for his many years of dedicated service to Nevada as an educator, journalist, business executive and philanthropist. I ask my colleagues to join me in congratulating Steve on his retirement, and in wishing him many successful and fulfilling years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and two withdrawals which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:04 a.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. 2609. An act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

H.R. 2642. An act to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes.

ENROLLED BILL SIGNED

At 5:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2289. An act to rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchison Spousal IRA.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1292. A bill to prohibit the funding of the Patient Protection and Affordable Care Act.

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2609. An act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

H.R. 2642. An act to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes.

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–2255. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; 2013 Commercial Accountability Measure and Closure for the South Atlantic Lesser Amberjack, Almaco Jack, and Banded Rudderfish Complex'' (RIN0648–XC714) received in the Office of the President of the Senate on July 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2256. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Actions Nos. 4 and 5'' (RIN0648–XC705) received in the Office of the President of the Senate on July 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2257. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for Gulf of Mexico Greater Amberjack'' (RIN0648–XC702) received in the Office of the President of the Senate on July 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2258. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC722) received in the Office of the President of the Senate on July 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2259. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC724) received in the Office of the President of the Senate on July 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2260. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; 2013 Recreational Accountability Measure and Closure for South Atlantic Golden Tilefish'' (RIN0648–XC671) received in the Office of the President of the Senate on July 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2261. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment 4 to the Corals and Reef Associated Plants and Invertebrates Fishery Management Plan of Puerto Rico and the U.S. Virgin Islands; Seagrass Management'' (RIN0648–BC38) received in the Office of the President of the Senate on July 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2262. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment 94 to the Gulf of Alaska Fishery Management Plan and Regulatory Amendments for Community Quota Entities'' (RIN0648–BB94) received in the Office of the President of the Senate on July 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2263. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Adjusted Closure of the 2013 Gulf of Mexico Recreational Sector for Red Snapper'' (RIN0648–XC715) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2264. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Amendment 9'' (RIN0648–BC58) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2265. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Framework Adjustment 50 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements; Updated Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2013'' (RIN0648–BC97) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2266. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions, Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Framework Adjustment 48; Final Rule; Correction'' (RIN0648–BC27) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2267. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program'' (RIN0648–BC25) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2268. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications'' (RIN0648–XC392) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2269. A communication from the Acting Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Inadmissibility of Consumer Products and Industrial Equipment Noncompliant with Applicable Energy Conservation or Labeling Standards'' (RIN1515–AD82) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Finance.

EC–2270. 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 ''Transition Relief for Employees and Related Individuals Eligible to Enroll in Eligible Employer-Sponsored Health Plans for Non-Calendar Plan Years that Begin in 2013 and End in 2014'' (Notice 2013–42) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Finance.

EC–2271. 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 ''Application of Wash Sale Rules to Money Market Fund Shares'' (Notice 2013–48) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Finance.

EC–2272. 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 ''Guidance Regarding Deferred Discharge of Indebtedness Income of Corporations and Deferred Original Issue Discount Deductions'' ((RIN1545–BI96) (TD 9622)) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Finance.

EC–2273. 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 ''Application of Section 108(i) to Partnerships and S Corporations'' ((RIN1545–BI99) (TD 9623)) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Finance.

EC–2274. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the semiannual report on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Finance.

EC–2275. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Lacey Act Implementation Plan; Definitions for Exempt and Regulated Articles'' ((RIN0579–AD11) (Docket No. APHIS–2009–0018)) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

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. KIRK:

S. 1297. A bill to establish the Government Transformation Commission to review and make recommendations regarding cost control in the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BEGICH:

S. 1298. A bill to amend the Internal Revenue Code of 1986 to adjust the limits on expensing of certain depreciable business assets; to the Committee on Finance.

By Ms. BALDWIN (for herself and Mr. JOHNSON of Wisconsin):

S. 1299. A bill to amend title 23, United States Code, with respect to the operation of vehicles on certain Wisconsin highways, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. CRAPO, Mr. RISCH, and Mr. HELLER):

S. 1300. A bill to amend the Healthy Forests Restoration Act of 2003 to provide for the conduct of stewardship end result contracting projects; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1301. A bill to provide for the restoration of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon; to the Committee on Energy and Natural Resources.

By Mr. HARKIN (for himself, Mr. ROBERTS, Mrs. MURRAY, Ms. MURKOWSKI, and Mr. FRANKEN):

S. 1302. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, and Mr. MURPHY):

S. 1303. A bill to amend certain appropriations Acts to repeal the requirement directing the Administrator of General Services to sell Federal property and assets that support the operations of the Plum Island Animal Disease Center in Plum Island, New York, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BEGICH:

S. 1304. A bill to promote strategic sourcing principles within the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 1305. A bill to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado; to the Committee on Energy and Natural Resources.

By Mr. REED (for himself, Mr. KIRK, Mrs. MURRAY, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. DURBIN):

S. 1306. A bill to amend the Elementary and Secondary Education Act of 1965 in order to improve environmental literacy to better prepare students for postsecondary education and careers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU (for herself and Mr. INHOFE):

S. 1307. A bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives; to the Committee on the Judiciary.

By Mr. COONS:

S. 1308. A bill to amend the National Energy Conservation Policy Act to encourage the increased use of performance contracting in Federal facilities; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (by request):

S. 1309. A bill to withdraw and reserve certain public land under the jurisdiction of the Secretary of the Interior for military uses, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN (for himself, Ms. COLLINS, Mr. CRAPO, Mr. JOHANNS, Mr. HELLER, Mr. VITTER, Ms. AYOTTE, Mr. BLUNT, Mrs. FISCHER, Mr. ENZI, and Mr. CORKER):

S. 1310. A bill to require Senate confirmation of Inspector General of the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID:

S. Res. 196. A resolution to constitute the majority party's membership on certain committees for the One Hundred Thirteenth Congress, or until their successors are chosen; considered and agreed to.

ADDITIONAL COSPONSORS

S. 109

At the request of Mr. VITTER, the name of the Senator from Arizona (Mr.

FLAKE) was added as a cosponsor of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 234

At the request of Mr. REID, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 234, 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. 240

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 240, a bill to amend title 10, United States Code, to modify the perfiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for nonregular service.

S. 326

At the request of Mrs. BOXER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 326, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 346

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 501

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 501, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 569

At the request of Mr. BROWN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 629

At the request of Mr. PRYOR, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 629, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 669

At the request of Mr. PRYOR, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 669, a bill to make permanent the Internal Revenue Service Free File program.

S. 734

At the request of Mr. NELSON, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 825

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 825, a bill to amend title 38, United States Code, to improve the provision of services for homeless veterans, and for other purposes.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 1039

At the request of Mr. MERKLEY, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1039, a bill to amend title 38, United States Code, to expand the Marine Gunnery Sergeant John David Fry scholarship to include spouses of members of the Armed Forces who die in the line of duty, and for other purposes.

S. 1068

At the request of Mr. BEGICH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1068, a bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes.

S. 1073

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1073, a bill to amend the Energy Independence and Security Act of 2007 to improve the coordination of refinery outages, and for other purposes.

S. 1078

At the request of Ms. KLOBUCHAR, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 1078, a bill to direct the Secretary of Defense to provide certain TRICARE beneficiaries with the opportunity to retain access to TRICARE Prime.

S. 1114

At the request of Mr. BROWN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1114, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1130

At the request of Mr. MERKLEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1130, a bill to require the Attorney General to disclose each decision, order, or opinion of a Foreign Intelligence Surveillance Court that includes significant legal interpretation of section 501 or 702 of the Foreign Intelligence Surveillance Act of 1978 unless such disclosure is not in the national security interest of the United States and for other purposes.

S. 1171

At the request of Mr. MORAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1171, a bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

S. 1182

At the request of Mr. UDALL of Colorado, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1182, a bill to modify the Foreign Intelligence Surveillance Act of 1978 to require specific evidence for access to business records and other tangible things, and provide appropriate transition procedures, and for other purposes.

S. 1188

At the request of Ms. COLLINS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1188, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act.

S. 1204

At the request of Mr. COBURN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1204, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 1241

At the request of Mr. MANCHIN, the names of the Senator from Nevada (Mr.

HELLER) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1241, a bill to establish the interest rate for certain Federal student loans, and for other purposes.

S. 1242

At the request of Mr. BROWN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1242, a bill to amend the Fair Housing Act, and for other purposes.

S. 1292

At the request of Mr. CRUZ, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from South Carolina (Mr. SCOTT), the Senator from Kansas (Mr. ROBERTS), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 1292, a bill to prohibit the funding of the Patient Protection and Affordable Care Act.

S. CON. RES. 13

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Con. Res. 13, a concurrent resolution commending the Boys & Girls Clubs of America for its role in improving outcomes for millions of young people and thousands of communities.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. CRAPO, Mr. RISCH, and Mr. HELLER):

S. 1300. A bill to amend the Healthy Forests Restoration Act of 2003 to provide for the conduct of stewardship end result contracting projects; to the Committee on Energy and Natural Resources.

Mr. FLAKE. Mr. President, on behalf of Senators MCCAIN, CRAPO, RISCH, HELLER, and myself I am pleased to introduce the Stewardship Contracting Reauthorization and Improvement Act.

As we continue to search for ways to prevent future wildland fire tragedies, it is worth noting that the U.S. Forest Service and the Bureau of Land Management, BLM, are about to lose one of their most valuable tools in that ongoing fight.

The tool, known as stewardship contracting, allows the Forest Service and BLM—in collaboration with State and local governments, tribal agencies, and non-governmental organizations—to enter into contracts with public or private entities to carry out a variety of land-management projects, including those that can reduce the risk of wildland fire.

Stewardship contracts have been particularly useful in Arizona. The Forest Service awarded the first such 10-year contract to the White Mountain Stewardship Project in 2004, and the largest contract, the Four Forest Restoration Initiative, began in 2012. Unless Congress acts, the authority to enter into these agreements will expire at the end of September. Our legislation would not only extend the authority for Federal agencies to enter into these agreements, but it builds on past experiences to make commonsense improvements.

For example, it would give the Forest Service and BLM flexibility when establishing cancellation ceilings. A cancellation ceiling represents the amount of money the government would have to pay its contracting partner if the contract were cancelled. Typically, the government has to obligate the full amount at the inception of the contract. As noted in a 2008 GAO report, cancellation ceilings that require agencies to obligate large sums can serve as an impediment to long-term landscape-scale contracts, precisely the types of agreements that most significantly reduce wildfire risks.

Using Defense Department acquisition regulations as a model, our bill solves this problem by allowing Federal agencies to obligate funds in stages that are economically or programmatically viable. It would also require those agencies to notify the House and Senate natural resource committees, as well as the Office of Management and Budget, if the agencies propose contracts that do not fully cover the cancellation ceiling amount. Any extra value from a contract would be dedicated to first satisfying outstanding cancellation-related liabilities before being used to fund other stewardship projects. Finally, our bill incorporates key fire-liability provisions from timber sale contracts into the stewardship model, establishing parity between the two instruments.

Stewardship contracting and the resulting partnerships have helped restore forests, reduce the risk of out-of-control wildfires, and protect rural communities. I thank Senators MCCAIN, CRAPO, RISCH, and HELLER for their support and leadership. It is my hope that our colleagues will act quickly to extend and improve this important land-management tool.

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. 1300

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 ''Stewardship Contracting Reauthorization and Improvement Act''.

SEC. 2. STEWARDSHIP END RESULT CONTRACTING PROJECTS.

(a) IN GENERAL.—Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591) is amended by adding at the end the following:

''SEC. 602. STEWARDSHIP END RESULT CONTRACTING PROJECTS.

''(a) DEFINITIONS.—In this section:

''(1) CHIEF.—The term 'Chief' means the Chief of the Forest Service.

''(2) DIRECTOR.—The term 'Director' means the Director of the Bureau of Land Management.

''(b) PROJECTS.—Until September 30, 2023, the Chief and the Director, via agreement or contract as appropriate, may enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

''(c) LAND MANAGEMENT GOALS.—The land management goals of a project under subsection (b) may include—

''(1) road and trail maintenance or obliteration to restore or maintain water quality;

''(2) soil productivity, habitat for wildlife and fisheries, or other resource values;

''(3) setting of prescribed fires to improve the composition, structure, condition, and health of stands or to improve wildlife habitat;

''(4) removing vegetation or other activities to promote healthy forest stands, reduce fire hazards, or achieve other land management objectives;

''(5) watershed restoration and maintenance;

''(6) restoration and maintenance of wildlife and fish; or

''(7) control of noxious and exotic weeds and reestablishing native plant species.

''(d) AGREEMENTS OR CONTRACTS.—

''(1) PROCUREMENT PROCEDURE.—A source for performance of an agreement or contract under subsection (b) shall be selected on a best-value basis, including consideration of source under other public and private agreements or contracts.

''(2) CONTRACT FOR SALE OF PROPERTY.—A contract entered into under this section may, at the discretion of the Secretary of Agriculture, be considered a contract for the sale of property under such terms as the Secretary may prescribe without regard to any other provision of law.

''(3) TERM.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Chief and the Director may enter into a contract under subsection (b) in accordance with section 3903 of title 41, United States Code.

''(B) MAXIMUM.—The period of the contract under subsection (b) may exceed 5 years but may not exceed 10 years.

''(4) OFFSETS.—

''(A) IN GENERAL.—The Chief and the Director may apply the value of timber or other forest products removed as an offset against the cost of services received under the agreement or contract described in subsection (b).

''(B) METHODS OF APPRAISAL.—The value of timber or other forest products used as an offset under subparagraph (A)—

''(i) shall be determined using appropriate methods of appraisal commensurate with the quantity of products to be removed; and

''(ii) may—

''(I) be determined using a unit of measure appropriate to the contracts; and

''(II) may include valuing products on a per-acre basis.

''(5) CANCELLATION CEILINGS.—

''(A) IN GENERAL.—The Chief and the Director may obligate funds to cover any potential cancellation or termination costs for an agreement or contract under subsection (b) in stages that are economically or programmatically viable.

''(B) NOTICE.—

''(i) SUBMISSION TO CONGRESS.—Not later than 30 days before entering into a multiyear agreement or contract under subsection (b) that includes a cancellation ceiling in excess of $25,000,000, but does not include proposed funding for the costs of cancelling the agreement or contract up to the cancellation ceiling established in the agreement or contract, the Chief and the Director shall submit to

the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a written notice that includes—

''(I)(aa) the cancellation ceiling amounts proposed for each program year in the agreement or contract; and

''(bb) the reasons for the cancellation ceiling amounts proposed under item (aa);

''(II) the extent to which the costs of contract cancellation are not included in the budget for the agreement or contract; and

''(III) a financial risk assessment of not including budgeting for the costs of agreement or contract cancellation.

''(ii) TRANSMITTAL TO OMB.—At least 14 days before the date on which the Chief and Director enter into an agreement or contract under subsection (b), the Chief and Director shall transmit to the Director of the Office of Management and Budget a copy of the written notice submitted under clause (i).

''(6) RELATION TO OTHER LAWS.—Notwithstanding subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), the Chief may enter into an agreement or contract under subsection (b).

''(7) CONTRACTING OFFICER.—Notwithstanding any other provision of law, the Secretary or the Secretary of the Interior may determine the appropriate contracting officer to enter into and administer an agreement or contract under subsection (b).

''(8) FIRE LIABILITY PROVISIONS.—Not later than 90 days after the date of enactment of this section, the Chief and the Director shall issue for use in all contracts and agreements under subsection (b) fire liability provisions that are in substantially the same form as the fire liability provisions contained in—

''(A) integrated resource timber contracts, as described in the Forest Service contract numbered 2400–13, part H, section H.4; and

''(B) timber sale contracts conducted pursuant to section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a).

''(e) RECEIPTS.—

''(1) IN GENERAL.—The Chief and the Director may collect monies from an agreement or contract under subsection (b) if the collection is a secondary objective of negotiating the contract that will best achieve the purposes of this section.

''(2) USE.—Monies from an agreement or contract under subsection (b)—

''(A) may be retained by the Chief and the Director; and

''(B) shall be available for expenditure without further appropriation at the project site from which the monies are collected or at another project site.

''(3) RELATION TO OTHER LAWS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the value of services received by the Chief or the Director under a stewardship contract project conducted under this section, and any payments made or resources provided by the contractor, Chief, or Director shall not be considered monies received from the National Forest System or the public lands.

''(B) KNUTSON-VANDERBERG ACT.—The Act of June 9, 1930 (commonly known as the 'Knutson-Vanderberg Act') (16 U.S.C. 576 et seq.) shall not apply to any agreement or contract under subsection (b).

''(f) COSTS OF REMOVAL.—Notwithstanding the fact that a contractor did not harvest the timber, the Chief may collect deposits from a contractor covering the costs of removal of timber or other forest products under—

''(1) the Act of August 11, 1916 (16 U.S.C. 490); and

''(2) the Act of June 30, 1914 (16 U.S.C. 498).

''(g) PERFORMANCE AND PAYMENT GUARANTEES.—

''(1) IN GENERAL.—The Chief and the Director may require performance and payment bonds under sections 28.103–2 and 28.103–3 of the Federal Acquisition Regulation, in an amount that the contracting officer considers sufficient to protect the investment in receipts by the Federal Government generated by the contractor from the estimated value of the forest products to be removed under a contract under subsection (b).

''(2) EXCESS OFFSET VALUE.—If the offset value of the forest products exceeds the value of the resource improvement treatments, the Chief and the Director shall—

''(A) use the excess to satisfy any outstanding liabilities for cancelled agreements or contracts; or

''(B) if there are no outstanding liabilities under subparagraph (A), apply the excess to other authorized stewardship projects.

''(h) MONITORING AND EVALUATION.—

''(1) IN GENERAL.—The Chief and the Director shall establish a multiparty monitoring and evaluation process that accesses the stewardship contracting projects conducted under this section.

''(2) PARTICIPANTS.—Other than the Chief and Director, participants in the process described in paragraph (1) may include—

''(A) any cooperating governmental agencies, including tribal governments; and

''(B) any other interested groups or individuals.

''(i) REPORTING.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Chief and the Director shall report to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives on—

''(1) the status of development, execution, and administration of agreements or contracts under subsection (b);

''(2) the specific accomplishments that have resulted; and

''(3) the role of local communities in the development of agreements or contract plans.''.

(b) OFFSET.—To the extent necessary, the Chief and the Director shall offset any direct spending authorized under section 602 of the Healthy Forests Restoration Act of 2003 (as added by subsection (a)) using any additional amounts that may be made available to the Chief or the Director for the applicable fiscal year.

(c) CONFORMING AMENDMENT.—Section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105–277) is repealed.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1301. A bill to provide for the restoration of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I would like to reintroduce an important piece of forest legislation for my home State of Oregon.

This is legislation that I introduced in the last two Congresses. The legislation gained the support of the administration through a number of improvements, but unfortunately it failed to get passed. I have since made a few more updates and improvements as I continue talking to stakeholders who worked with me on this legislation. I am introducing the bill today to reinvigorate the discussion and get stakeholders to finalize any outstanding issues so we can finally get this bill done this Congress. I am sending the message that restoring these forests in Oregon is an urgent priority that needs to get done an I am going to keep at it until this issue gets addressed

I am pleased that my colleague from Oregon, Senator MERKLEY has again joined me today in introducing this bill. He also recognizes the urgent needs to restore Oregon's forests and help forest dependent communities and I am glad he is part of this fight.

Oregon's historic war over its forests restyled in gridlock that led to millions of acres of Oregon's Federal forest landscape containing choked, overstocked stands that are at great risk of uncharacteristic catastrophic fires, insect infestations and disease. The outcome of the decades of conflict is very evident in Eastern Oregon's forests.

That is why I introduced legislation in the last two Congresses to tackle the challenges facing Oregon's Eastside forests and why I reintroduce this legislation again today.

The legislation I first introduced in 2009 reflected an agreement reached by leaders on both sides of these difficult issues Intense negotiations resulted in that legislation with the goal of bringing jobs and a healthier tomorrow to the 8.3 million acres on the 6 Federal forests in eastern and central Oregon. That agreement has already resulted in progress being made on forestry issues in Eastern Oregon. Already there is more collaboration, less gridlock, more timber harvests and forests gradually beginning to get restored.

But we can't stop there. Since the last Congress, discussions and negotiations with interested stakeholders have continued. Today's bill reflects some of those discussions as well as some of the real progress seen on the ground in Eastern Oregon, but it also preserves the core elements of the agreement that I crafted with the stakeholders to this agreement—a push to increase the timber produced from our national forests, landscape scale restoration efforts and protections for watersheds and old growth.

Eastern Oregon today is down to only a small handful of surviving timber mills. Yet those mills are urgently needed to process saw logs and other merchantable material from forest restoration projects. Without them, there will be no restoration of Oregon's Eastside forests. But without far greater certainty of merchantable timber supply, more mills will close.

That's why we not only need to introduce legislation today, we need to pass it this Congress. Because time is not on our side and at risk forests and mills won't wait forever for the perfect consensus.

Fortunately leaders on both sides of this issue recognize that Oregon's forests will pay the price if more mills close. That recognition is what brought us to the landmark agreement in the first place.

I expect continued discussions as the Senate process advances over the best way to craft the bill to reflect current reality on the ground but I want to build on the progress that has been made to this point.

I also want to point out that none of our efforts will succeed unless Oregon Federal forests are also adequately funded to properly manage and restore these valuable Federal assets. I will fight, along with Senator MERKLEY and other stakeholders, for the funding to put our people back to work and restore the health of our forests.

I thank the stakeholders that have continued to spend time and energy engaged in discussions with me on the details of this legislation. I know there is further work ahead, and I look forward to working with them to get the legislation ready for passage.

I want to also express my gratitude to Governor Kitzhaber, who also understands the importance of advancing efforts to treat and restore Oregon's forests. He went to bat to putting state funding behind these efforts so I want to ensure that the Federal Government is also honoring its commitment to manage these Federal treasures and be a good neighbor to state and private lands. I appreciate his efforts and look forward to continuing to work with him.

I am pleased to reintroduce this legislation today, and I intend to keep working with all the folks in my State who are willing to talk in good faith about restoring our Eastside forests. I want to continue to get input from stakeholders on any further revisions to the bill and get a final product that will pass this Congress.

By Mr. REED (for himself, Mr. KIRK, Mrs. MURRAY, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. DURBIN):

S. 1306. A bill to amend the Elementary and Secondary Education Act of 1965 in order to improve environmental literacy to better prepare students for postsecondary education and careers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am reintroducing bipartisan legislation to provide support for environmental education in our Nation's classrooms. I thank Senators KIRK, MURRAY, TOM UDALL, DURBIN, and WHITEHOUSE for agreeing to be original cosponsors of the No Child Left Inside Act of 2013.

According to the National Association for Environmental Education, 47 states and the District of Columbia have taken steps towards developing plans to integrate environmental literacy into their statewide educational initiatives. In Rhode Island, organizations such as the Rhode Island Environmental Education Association, Roger Williams Park Zoo, Save the Bay, the Nature Conservancy, and the Audubon Society, as well as countless schools and teachers, are offering educational and outdoor experiences that many children may never otherwise have, helping inspire them to learn. In partnership with the Rhode Island Department of Education, these organizations have developed a statewide environmental literacy plan that is now being put into action.

Given the major environmental challenges we face today, our bill seeks to prioritize teaching our young people about their natural world. For more than three decades, environmental education has been a growing part of effective instruction in America's schools. Responding to the need to improve student achievement and prepare students for the 21st century economy, many schools throughout the Nation now offer some form of environmental education.

Yet, environmental education is facing a significant challenge, and remains out of reach for too many children. With many schools being forced to scale back or eliminate environmental programs, fewer and fewer students are able to take part in related classroom instruction and field investigations, however effective or in demand these programs are.

The No Child Left Inside Act would increase environmental literacy among elementary and secondary students by encouraging and providing assistance to states for the development and implementation of environmental literacy plans and promoting professional development for teachers on how to integrate environmental literacy and field experiences into their instruction.

The legislation would also support partnerships with high-need school districts to initiate, expand, or improve their environmental education curriculum, and for replication and dissemination of effective practices. Finally, the legislation would support interagency coordination and reporting on environmental education opportunities across the Federal Government. This legislation has broad support among national and State environmental and educational groups.

The American public recognizes that the environment is a central issue to our future health and well-being. In the private sector, business leaders also increasingly believe that an environmentally literate workforce is critical to their long-term success. They recognize that better, more efficient environmental practices improve the bottom line and help position their companies for the future.

Environmental education helps prepare the next generation with the skills and knowledge necessary to be competitive in the global economy. Studies have shown that it enhances student achievement in science and other core subjects and increases student engagement and critical thinking skills. And it promotes healthy lifestyles by encouraging kids to get outside.

That is why I encourage my colleagues to cosponsor the bipartisan No Child Left Inside Act and to join with Senator KIRK and me to include its provisions into the reauthorization of the Elementary and Secondary Education Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 196—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED THIRTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 196

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Thirteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Ms. Stabenow (Chairman), Mr. Leahy, Mr. Harkin, Mr. Baucus, Mr. Brown, Ms. Klobuchar, Mr. Bennet, Mrs. Gillibrand, Mr. Donnelly, Ms. Heitkamp, and Mr. Casey.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Rockefeller (Chairman), Mrs. Boxer, Mr. Nelson, Ms. Cantwell, Mr. Pryor, Mrs. McCaskill, Ms. Klobuchar, Mr. Warner, Mr. Begich, Mr. Blumenthal, Mr. Schatz, Mr. Heinrich, and Mr. Markey.

COMMITTEE ON FOREIGN RELATIONS: Mr. Menendez (Chairman), Mrs. Boxer, Mr. Cardin, Mrs. Shaheen, Mr. Coons, Mr. Durbin, Mr. Udall of New Mexico, Mr. Murphy, Mr. Kaine, and Mr. Markey.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Ms. Landrieu (Chairman), Mr. Levin, Mr. Harkin, Ms. Cantwell, Mr. Pryor, Mr. Cardin, Mrs. Shaheen, Ms. Hagan, Ms. Heitkamp, and Mr. Markey.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 16, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 16, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 16, 2013, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 16, 2013, at 10 a.m., to hold a hearing entitled, ''A Hearing on S. 980, The Embassy Security and Personnel Protection Act of 2013.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. 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, in order to conduct a hearing entitled ''Pooled Retirement Plans: Closing the Retirement Plan Coverage Gap for Small Businesses'' on July 16, 2013, at 2:30 p.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENT AFFAIRS

Mr. REID. 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 16, 2013, at 3:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 16, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Government Affairs' Subcommittee on Financial and Contracting Oversight be authorized to meet during the session of the Senate on July 16, 2013, at 9:30 a.m. to conduct a hearing entitled, ''Implementation of Wartime Contracting Reforms.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 16, 2013, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAJORITY PARTY APPOINTMENTS FOR THE 113TH CONGRESS

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 196, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 196) to constitute the majority party's membership on certain committees for the One Hundred Thirteenth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Madam President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 196) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, JULY 17, 2013

Mr. BROWN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, July 17, 2013; 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 the majority leader be recognized; and that following the remarks of the two leaders, the Senate proceed to executive session to consider Calendar No. 178, the Hochberg nomination, and the time until 10 a.m. be equally divided and controlled between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN. Tomorrow at 10 a.m. there will be a rollcall vote on the motion to invoke cloture on the Hochberg nomination.

ORDER FOR ADJOURNMENT

Mr. BROWN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of Senator THUNE.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Dakota.

HEALTH CARE REFORM

Mr. THUNE. Madam President, last week a letter was sent to majority leader HARRY REID and minority leader NANCY PELOSI of the House of Representatives, and I wish to read a few quotes from that letter. It says:

When you and the President sought our support for the Affordable Care Act, you pledged that if we liked the health plans we have now, we could keep them. Sadly, that promise is under threat. Right now, unless you—

Directed at the majority leader and the minority leader in the House—

and the Obama Administration enact an equitable fix, the ACA—

Or the Affordable Care Act, which some people refer to as ''ObamaCare''—

will shatter not only our hard-earned health benefits, but destroy the foundation of the 40 hour work week that is the backbone of the American middle class.

The letter goes on to say:

Since the Affordable Care Act was enacted, we have been bringing our deep concerns to the Administration, seeking reasonable regulatory interpretations to the statute that would help prevent the destruction of nonprofit health plans. As you both know firsthand, our persuasive arguments have been disregarded and met with a stone wall by the White House and by the pertinent agencies.

This is a letter that was, as I said, sent last week to the leaders in the House and in the Senate. I wish to quote a few more passages from that letter.

We have a problem; you need to fix it. The unintended consequences of the Affordable Care Act are severe. Perverse incentives are already creating nightmare scenarios.

First, the law creates an incentive for employers to keep employees' work hours below 30 hours a week. Numerous employers have begun to cut workers' hours to avoid this obligation, and many of them are doing so openly. The impact is twofold: fewer hours means less pay while also losing our current health benefits.

The summary of the letter at the end says:

On behalf of the millions of working men and women we represent and the families they support, we can no longer stand silent in the face of elements of the Affordable Care Act that will destroy the very health and wellbeing of our members along with millions of other hardworking Americans.

So when we look at this letter and the tone of the letter and some of the statements made in the letter, we see that it talks about destroying the health benefits of employees. It talks about nightmare scenarios being created by perverse incentives in the Affordable Care Act. As I said before, it says the Affordable Care Act will shatter not only our hard-earned health benefits but destroy the foundation of the 40-hour workweek that is the backbone of the American middle class.

If my colleagues are wondering who sent the letter—one might think it came from the National Federation of Independent Business or perhaps the National Association of Manufacturers, the chamber of commerce, or some business group that obviously has major concerns and issues with the implementation of ObamaCare. But that letter came from Mr. James Hoffa, who is the general president of the International Brotherhood of Teamsters; it was cosigned by Joseph Hansen, the international president of the UFCW, and by D. Taylor, the president of UNITE–HERE—three major union organizations that are very concerned

about ObamaCare and its implementation and what it is going to mean to the health care benefits many of their members already enjoy, as well as what it will do to wreck the 40-hour workweek that is, as they describe, the backbone of the American middle class.

So the list goes on of those who have deep and abiding concerns about the adverse and harmful impacts of ObamaCare as we approach the implementation stage the first of next year.

As we know, last week the administration announced they were going to delay the implementation of the employer mandate. I think many of us received that news as welcome news because we have argued that many of the penalties associated with the legislation and its implementation are going to be very harmful to job creation and to economic growth and that we are going to see more and more employers starting not only to not hire people but actually to reduce the size of the workforce. In fact, a survey of employers around the country suggested that 40 percent of them were, in fact, doing that. They were not hiring new people. Also, 20 percent of the employers in this country were actually reducing—laying people off—because of the concerns about the mandates included in ObamaCare.

So the administration reacted to that by saying: OK, we have been listening to you. We hear you. We are going to delay the employer mandate.

That is the penalty attached if employers don't offer a government-approved health plan with lots of bells and whistles and things in it—things that they didn't believe they could afford. So we get the 1-year temporary relief from that.

But I think the question that has to then be asked of the administration is this: If you are going to provide relief from the employer mandate, what about everybody else? What about all of the other Americans who are going to be impacted and harmed? What about the individual mandate where we have 6 million Americans who are, when it is fully implemented, going to be faced with a tax of about $1,200?

We have all kinds of families across this country who are seeing, because of the higher taxes and many of the mandates associated with the legislation already, higher premiums. In fact, when the President took office, he promised he was going to reduce premiums for families in this country by $2,500. Well, according to the Kaiser study—and they track premiums—since the President has taken office, health insurance premiums for families in this country have actually increased by $2,500. So when the President made the argument that he would lower insurance premiums for families in this country by $2,500, just the opposite has happened. We have seen premiums actually go up. I think premiums are going to continue to go up as this becomes implemented and becomes, ultimately, the law of the land.

A lot of my colleagues on the other side have said: Why do you guys keep complaining about this? It is the law of the land. In fact, it is the law of the land, which I think begs the question of, why is the administration not enforcing it? Why has the administration been delaying implementation of ObamaCare, at least as it pertains to the employer mandate?

I think there are a lot of obvious reasons for that. They got tired of hearing about the adverse impacts it was having on the economy and having on jobs. We saw the jobs numbers from the month of June, and the number of people who have been pushed into part-time jobs was actually, in the month of June, up by 322,000 individuals.

In other words, what we are seeing is that a lot of people who were previously full-time workers and who want to work full-time in our economy are being pushed into part-time jobs. Why is that happening? Well, at least one of the reasons, I would argue, is that under ObamaCare the requirements that apply to employers apply to full-time workers. So if an employer doesn't have full-time workers—and the law defines that as 30 hours a week—if an employer doesn't have people working more than 30 hours a week, they are not covered by the mandates in the legislation. So what are many employers doing? Many employers were then cutting the hours of their employees to get under that 30-hour threshold so they wouldn't be hit with these costly new mandates.

What does that mean for the average family in this country? It means that fewer and fewer people have full-time jobs, higher take-home pay, and more and more Americans are having to do part-time work—probably finding two part-time jobs to help pay the bills. That is a crushing effect on an economy that is already struggling to recover. A lot of people who I would argue want to get back into the workforce are trying to find full-time work and are being met with resistance from employers because employers are having to deal with these costly mandates included in the Affordable Care Act.

So if we look at the effect, the net result so far of ObamaCare, which, again—we have mentioned this many times here—is 2,700 pages in terms of legislation and 20,000 pages of regulations—in fact, the size of the stack of regulations is now 7½ feet tall, so it is about a foot taller than I am. Just last week another 606 pages of regulations were issued in terms of the implementation of this law. Can we imagine average Americans trying to comply with 20,000 pages of regulations or, for that matter, businesses trying to comply with them?

There is so much uncertainty associated with this law and the impact it is going to have and fears about the impact it is going to have, and nothing is being done to make that any easier for most Americans. It was made easier for employers last week when the penalty for the employer mandate was delayed by 1 year.

We believe that if they are going to delay the employer mandate for a year, we ought to delay the implementation of this law for everybody and not just do it for a year. Let's do it permanently. Let's start over. Let's do this the right way. It didn't take a 2,700-page bill, it didn't take 20,000 pages of regulations, it didn't take a government takeover of one-sixth of our economy to try to solve the problems and the challenges we have in our health care system today. Yet that was the solution the President and our Democratic colleagues in Congress came up with. As a consequence, we have higher taxes, we have higher premiums, we have fewer jobs, and we have lower take-home pay for many Americans.

I wish to point out in terms of the issue of premiums even the administration has acknowledged that some people are going to see their premiums rise under the health care reform law. There are estimates from the Society of Actuaries study that was released in 2013 that showed the State of Ohio's current average cost to cover medical expenses for an individual health insurance plan to be $223.

Based on the proposals submitted to the Department, the average to cover those costs in 2014 under ObamaCare is going to be $420, representing an increase of 88 percent when compared to—this is a study of actuaries—their study. So an 88-percent increase in the State of Ohio. That, of course, again was in the individual health care market.

There have been studies done that suggest that the Federal health care law, the Affordable Care Act or, as I said, ObamaCare could nearly triple premiums for some young and healthy men. The premium for a relatively bare bones policy for a 27-year-old male nonsmoker in the individual market would be nearly 190 percent higher.

So I do not think many of the people who are going to be impacted have seen the full impact yet. But when it is fully implemented, there are going to be lots of other impacts on premiums, adverse impacts on people in this country, especially in the individual market. As I mentioned earlier, we have already seen significant increases in premiums with regard to families.

So if we look at this thing and sort of assess where we are today, not too far, just a few months away from what is alleged to be the full implementation of this—of course, now with the exception of the employer mandate—I think we can come to one very simple conclusion; that is, that the result has led to fewer jobs, it has led to more people being pushed into part-time work as opposed to full-time jobs, and therefore lower take-home pay for middle-class Americans. It has led to higher premiums. We are already seeing the effect of that with regard to premiums that are being paid by families and those who have to buy their insurance in the individual marketplace.

We know there are lots of higher taxes in the legislation. If we look at the impact on many people who provide health care services, the medical device manufacturers have a big tax they are dealing with, pharmaceutical companies, health insurance plans—we can go right down the list. All of those new taxes are going to get passed on, in many cases passed on to people who are not high-income earners but middle-class Americans who are trying to keep their heads above water and keep health care coverage for their family.

These are the real-world impacts of ObamaCare as we know it today. That is why I think we see, even organizations that are very sympathetic to the President, very sympathetic to his agenda, fans of his agenda, people who worked very hard to get him elected in office—the labor unions in their letter make that argument, that they worked very hard. They walked the neighborhoods. They did all of the grassroots organizing that was necessary to get the President elected. Here they are reacting to the Affordable Care Act, to ObamaCare, in the same way I think most Americans are.

That is why we consistently see public opinion polls that are very negative toward the law. In fact, there was a Rasmussen survey recently that said 55 percent of Americans disapprove of the law, 39 percent are in favor of it. But a significant and decisive majority of Americans believe this is going to be bad for them, bad for their own personal situation, finances, when it comes to covering their families but also bad for the economy and bad for jobs.

Higher premiums, higher taxes, fewer jobs, more part-time jobs, fewer full-time jobs, lower take-home pay, that is what we today know as ObamaCare. There is a better way. We could go back and start over, do this the right way; step-by-step, incrementally, deal with the challenges that we have in our health care system, and there are many of them. But it did not take a massive takeover of one-sixth of the American economy, a massive new government program, 2,700 pages of legislation, over 20,000 pages of new regulations in terms of implementation to solve the challenges we have in our health care system today.

There is a better way. I hope the feedback, if you will, the response that the President and his team are getting, not only now from those people who were opposed to it—many of us were arguing when this was being debated in the Senate that this, in fact, would be the impact. We talked about the impact on premiums because of the mandates and the new taxes. We talked about the taxes. We talked about the impact on the economy and jobs and pointed out that this was going to have an adverse, harmful impact on the ability of our economy to create jobs and to get that unemployment rate down and get people back to work in this country.

Many of us were working those arguments. Many of the organizations that were opposed to the legislation were saying the same things. Now we have those who were actually endorsing and in favor of the legislation coming out and saying it would shatter not only our hard-earned health benefits but destroy the foundation of the 40-hour work week that is the backbone of the American middle class. Perverse incentives are already creating nightmare scenarios.

That is what is included in the letter that was submitted last week to the leaders in the Congress, written by major labor organizations in this country. Those are not rightwing conservatives, rightwing Republicans who are reacting this way to ObamaCare; these are allies of the President who have realized and come to the conclusion that this is incredibly problematic, not only for them and their members and the employees of a lot of companies out there with regard to the current health care benefits that they already have but also what it means for the 40-hour work week and what it means for the take-home pay for middle-class Americans across this country.

We can do better. We should do better. It is not too late. It is never too late to do the right thing. I hope that as more and more of this anecdotal and empirical evidence comes forward about the implementation of this legislation, we will do that.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:05 p.m., adjourned until Wednesday, July 17, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL LABOR RELATIONS BOARD

KENT YOSHIHO HIROZAWA, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2016, VICE WILMA B. LIEBMAN, TERM EXPRIED.

NANCY JEAN SCHIFFER, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2014, VICE CRAIG BECKER.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. ROGER L. NYE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. KENNETH E. TOVO

CONFIRMATION

Executive nomination confirmed by the Senate July 16, 2013:

BUREAU OF CONSUMER FINANCIAL PROTECTION

RICHARD CORDRAY, OF OHIO, TO BE DIRECTOR, BUREAU OF CONSUMER FINANCIAL PROTECTION FOR A TERM OF FIVE YEARS.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on July 16, 2013 withdrawing from further Senate consideration the following nominations:

RICHARD F. GRIFFIN, JR., OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2016, VICE WILMA B. LIEBMAN, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON FEBRUARY 13, 2013.

SHARON BLOCK, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2014, VICE CRAIG BECKER, WHICH WAS SENT TO THE SENATE ON FEBRUARY 13, 2013.

EXTENSIONS OF REMARKS

HONORING HENRY POSEY

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. FINCHER. Mr. Speaker, I rise today to honor the retirement of Henry Posey from the Memphis Fire Department.

Mr. Posey has devoted his life to a career of public service. As a fire fighter and the retiring Division Chief for the Memphis Fire Department, he worked to keep communities in the Eighth District of Tennessee safe for over 36 years. In this time, he has truly made a difference in people's lives, and in some cases his efforts have meant the difference between life and death.

I am proud to join Mr. Posey's family, friends, and colleagues in congratulating him for his many years of service. He deserves our deepest thanks and appreciation.

HONORING FATHER J. PATRICK GAZA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and admiration that I stand before you today to recognize Father J. Patrick Gaza, Pastor of Saints Monica and Luke and Saint Mark Catholic Churches in Gary, as he celebrates his retirement after 44 years of selfless service to the Catholic Church and the countless individuals he has ministered to throughout his life. Father Pat will be honored at a retirement reception on Sunday, July 21, 2013, at Avalon Manor in Merrillville, Indiana.

Father Gaza dedicated his life to becoming a priest from the time of his studies at Saints Peter and Paul School in Merrillville. Since then, he has not faltered in his commitment to God and to serving the people of his community, especially those most in need. He completed his higher education at Our Lady of the Lake Seminary in Wawasee, Indiana, Saint Meinrad College in Saint Meinrad, Indiana, and Pontifical Gregorian University in Rome. In 1968, Father Gaza was ordained a Catholic priest at Saint Peter's Basilica in Vatican City. Through his experiences as an instructor of religion at Bishop Noll Institute in Hammond, as well as his supervision of theological field education at the North American College in Rome, Father Gaza has contributed tremendously to the religious schooling of youth. These stand as just a few teaching experiences among his extensive contributions to the younger generation.

In 1992, Father Patrick Gaza became Pastor of Saints Monica and Luke Catholic Church. With his devoted guidance, the church has thrived in the community and has expanded its community outreach efforts. In 2007, Father Pat was also assigned Pastor of Saint Mark Catholic Church in Gary. Throughout the years, Father Gaza has served in various organizations throughout Northwest Indiana and Gary, including the LaPorte County FEMA Food Program, the Gary Ten Point Coalition, the Gary Urban Enterprise Association, the Gary branch of the NAACP, Rebuilding Together, and the Catholic Youth Organization. Father Gaza's involvement with these organizations evidences his absolute commitment to minister and tirelessly work and advocate on behalf of "the least amongst us." Those who are without, those who suffer physically or are challenged physiologically, and those who need spiritual guidance have always found compassion, warmth, and a generosity of spirit in Father Pat. Father J. Patrick Gaza is a gifted, Godly, and good man. For his constant and passionate devotion to his God, his church and his flock, Father is worthy of our profound respect and gratitude.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring Father Patrick Gaza for his lifetime of leadership and selfless service to others. Saints Monica and Luke and Saint Mark Catholic Churches, the community of Gary, and all of Northwest Indiana have certainly been blessed by the good work of Father Gaza.

FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

SPEECH OF

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 2013

Ms. CLARKE. Mr. Speaker, today I rise in vehement opposition to H.R. 2642, the Federal Agriculture Reform and Risk Management Act of 2013. Specifically, I oppose separating nutrition assistance programs from the agricultural subsidies programs and this is exactly what this bill does.

Agricultural and nutrition assistance programs have traditionally moved through Congress as part of the same authorizing legislation, allowing us to comprehensively address both issues.

This amalgamation has united urban and rural areas of America, serving as a manifestation of the connection shared between these seemingly disparate communities.

Divorcing food stamps from agricultural subsidies would halt much-needed action that insures funding for food assistance to low-income Americans.

Republicans accuse Democrats of playing politics with farm issues, yet they propose a two-bill strategy that is likely to stagnate any progress toward assisting the nation's most vulnerable populations.

The moment has arrived in our Congress where we have the ability to pass legislation that ensures a child can focus on a homework assignment without the distraction of hunger, guarantees healthy meals to struggling families who have been hit hard by the recent economic downturn, and lends to the economic advancement of communities across the country.

Forty-seven million people experience food insecurity in the United States. In New York alone, over three million New Yorkers receive food stamps. This bill as it currently stands is an attack on the nutrition programs, specifically food stamps.

We have an unparalleled moment of opportunity to generate policy that is in tune with the circumstances of ALL of the American people—those in both rural and urban communities.

Decoupling the nutrition programs from the agricultural subsidies programs will in effect be the death nail for the food stamps program. There will be no incentives for conservatives to support nutritional programs if this decoupling occurs, which is why I oppose this bill.

CONGRATULATING JON MOWL AND THE UNITED STATES DELEGATION TO THE 2013 SUMMER DEAFLYMPICS IN SOFIA, BULGARIA

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. MORAN. Mr. Speaker, I rise today to congratulate Jon Mowl and the 180 deaf and hard of hearing athletes and coaches heading to Sofia, Bulgaria for the 2013 Summer Deaflympics. Held quadrennially, the Deaflympics are the world's second oldest multiple sports games after the Olympics. From July 26 through August 4 this summer, Sofia will host 14,707 athletes from over 90 countries.

The Summer Deaflympics are built on 89 years of tradition. At the recent 2009 Summer Deaflympics in Taipei, Taiwan, more than 2,500 athletes from 77 nations participated, including 140 Americans. The Summer Deaflympics are sanctioned by the International Olympic Committee. For the 2013 Summer Deaflympics, the United States plans to bring its best team that has been training for four years for this opportunity. The need for separate games for deaf athletes is not just evident in the number of participants. Deaf athletes are distinguished from all others in their special communication needs on the sports field. Visual presentation of information during the Games for both athletes and visitors are a critical part of the Games infrastructure, which includes the use of video screens, captioning and information boards. A visual environment is critical for communication with deaf athletes, deaf officials and deaf spectators.

Unlike Olympians or Paralympians, elite deaf and hard of hearing athletes must

fundraise to pay their way and do not receive financial support from the United States Olympic Committee. This presents a twofold challenge for the Deaflympics athletes: fundraising on top of training for the Games. People like you who support the mission of USADSF and its athletes are the ones who make it possible for the athletes to accomplish their lifelong dream. Each Deaflympian must fundraise $2,350 (not including international travel and training camp expenses) to cover all costs at the 2013 Summer Deaflympics. Over 180 United States deaf and hard of hearing athletes and coaches are training for Sofia to represent the U.S. in 11 sports. Among them will be Jon Mowl of Alexandria, Virginia who will be competing in team handball.

An accomplished athlete, Jon scored over 1,300 in his four year career on the Gallaudet University basketball team and was on the team that went to the 2007 World Deaf Basketball Championships. This earned him a spot on the U.S. Deaflympics gold medal winning basketball team at the 2009 Deaflympics in Taiwan.

Mowl graduated from Gallaudet with a Bachelor of Science in mathematics and went on to become an adjunct mathematics professor at Gallaudet for a semester before getting a job at the Department of Health and Human Services. He was hired into the Workforce Recruitment Program and later transitioned to DLA Finance Energy. Mowl's primary responsibilities are budget formulation and execution of the $425 million sustainment, restoration and modernization program at DLA Finance Energy.

Since the 1935 London Summer Deaflympics, the United States of America Deaf Sports Federation has been sending elite deaf and hard of hearing Americans to compete in the Deaflympics. USA Deaf Sports Federation (USADSF) is the only national athletic association in the United States that coordinates the participation of American deaf and hard of hearing individuals in international sport competitions. USADSF is affiliated with the International Committee of Sports for the Deaf (ICSD) and the International Olympic Committee (IOC). They support teams in 17 sports and represent over 100,000 deaf and hard of hearing athletes in the United States and have sent 2,031 Deaflympians to the Summer and Winter Deaflympics since 1935. The Deaflympics were the first international games for athletes with disabilities and, different from many other games, because athletes cannot be guided by sounds (i.e. a starters gun), they must rely on other methods of competition and refereeing.

Mr. Speaker, Jon Mowl and his 179 teammates deserve this body's support. Their success is an example of preserving talent through resilience and dedication in the face of hardship.

HONORING OUR LADY OF MOUNT CARMEL CHURCH AS THEY CELEBRATE THEIR 75TH ANNUAL FEAST

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Ms. DELAURO. Mr. Speaker, it is my pleasure to rise today to join the many families, parishioners, and community leaders as Our Lady of Mount Carmel Church celebrates its 75th Annual Feast—a celebration which raises funds to support the Our Lady of Mount Carmel School and its students.

Over the last 75 years, the congregants of Our Lady of Mount Carmel Church have to commemorate "the devotion that the Blessed Virgin Mary has to those who are committed to her." The four-day feast features food, fun, and fellowship. After Sunday Mass at noon, there is a procession of the Our Lady of Mount Carmel statute and a float featuring a young girl chosen to portray the feast's icon. The procession travels through an arch located behind the church, which was permanently installed and then two smaller temporary arches which have been erected for the occasion.

Dozens of parishioners volunteer their time, working arduously for weeks preparing for this annual event. Two hundred pounds of ground beef, two hundred forty pounds of sausage, five hundred pounds of onions, over two thousand pounds of veal hearts and more than four thousand pounds of dough—the food preparation is a massive undertaking which utilizes the two permanent kitchens in the church hall as well as an industrial stove that is temporarily installed. Sausage and peppers, soffritto and fried dough are among the feast favorites.

Perhaps what is most special about the Feast is that it is a means to preserve, celebrate, and pass on the culture and traditions of this Italian-American community. People across the country struggle to create a sense of community—a sense of belonging. Over the course of its 75 year history, the Our Lady of Mount Carmel Feast has served as a way for the families of Waterbury to do just that.

It is events like the Our Lady of Mount Carmel Feast, those forged in the bonds of family and community, which allow generation after generation to understand and celebrate their shared heritage. They enrich our communities as well as renew our commitment to faith and family. I am honored to stand today to extend my warmest congratulations to the Our Lady of Mount Carmel Parish and its many families as they celebrate the 75th anniversary of their Feast. The annual tradition is a community treasure and I wish them all the best for many more successful years to come.

HONORING MARTINE THOMAS OF ROCHESTER, NY ON HER SELECTION TO THE NATIONAL YOUTH ORCHESTRA OF THE UNITED STATES OF AMERICA

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Ms. SLAUGHTER. Mr. Speaker, I rise today in honor of a talented young musician from the 25th District of New York. Martine Thomas of Rochester was selected on March 4th to participate in the first National Youth Orchestra of the United States of America.

Ms. Thomas, a student at the Joseph C. Wilson Magnet High School, plays viola. She is also a member of the Rochester Philharmonic Youth Orchestra. In addition to her orchestral commitments Ms. Thomas is a member of the Garth Fagan Student Dance Company and enjoys hiking, swimming, and biking. Ms. Thomas hopes to pursue a career in viola performance.

She will join a group of 120 of the finest young musicians in this country aged 16–19, each of whom was selected from over 1,200 applicants from all 50 states. Organized by the famed Carnegie Hall in New York City, it is truly a significant accomplishment. As part of their experience, in July the group will travel to New York for two weeks of rehearsals at SUNY-Purchase, and then embark on an international tour that includes a debut performance at the Kennedy Center in Washington, DC, as well as performances in Moscow, St. Petersburg, and London. The last concert in London will be broadcast as part of the BBC Proms.

While there are many terrific local and regional youth orchestras (such as the Rochester Philharmonic Youth Orchestra) in this country and several successful national youth orchestras in other countries, the National Youth Orchestra of the United States of America is a unique and unparalleled opportunity for young, high school-aged musicians in the United States to be recognized as the pinnacle of our music training system. The success of Venezuela's El Sistema has generated increased international interest in the value of youth orchestras, and in my role as the Chair of the Congressional Arts Caucus, I am thrilled that Carnegie Hall has spearheaded this initiative to showcase America's finest young musicians and reinvigorate interest in youth musicianship at home and abroad.

I am proud of Ms. Thomas, and proud of the entire group of musicians selected to represent their hometowns and the United States as cultural ambassadors during their time with the National Youth Orchestra. I encourage all of my colleagues—many, many of whom also have constituents who were chosen—to join me in wishing these extraordinary young and talented individuals the best of luck on their tour. Many congratulations to Ms. Thomas and to Carnegie Hall in this endeavor.

HONORING DERREK COLLEY

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. FINCHER. Mr. Speaker, I rise today to honor Paris Police Patrolman Derrek Colley for his bravery in the line of duty. Because of Officer Colley's courage in the face of danger, the city of Paris, Tennessee narrowly avoided a tragedy.

On January 24, 2013, Officer Colley responded to a call at Pine Ridge Apartments, a local apartment complex. After hearing calls for help, he located a man standing in the doorway of Apartment 710. The man was engulfed in smoke, and he was unable to move himself to safety. Additionally, there were several oxygen tanks in the apartment, and the man feared a catastrophic explosion as the flames slowly spread toward them.

In spite of the chaos and confusion, Officer Colley remained calm and professional. Disregarding his own safety, Officer Colley rescued the immobilized man and pulled him to safety. Then, he called for additional backup

of emergency services to fight the fire, and began evacuating the other apartments.

Mr. Speaker, the citizens of Paris, Tennessee are safer because of the selfless acts of bravery from public servants like Officer Colley. We are lucky to have such professional and well–trained personnel to protect our community. I am honored to join his colleagues and neighbors in applauding him for his courage.

CELEBRATING JAMES DARBY AND PATRICK BOVA

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize and celebrate the 50th anniversary of James Darby and Patrick Bova. Since 1963, Jim and Patrick have been in a loving, devoted relationship and together they have fought to secure marriage equality in Illinois and to allow gay and lesbian Americans to serve openly in the armed forces. I am proud to recognize this Chicago couple who have been at the forefront of the fight for equality in Illinois and across the country.

Jim was born and raised on the south side of Chicago, where he worked in the stockyards before enlisting in the Navy. He served four years during the Korean War as a Communications Technician Second Class. In this role, Jim worked as a cryptographer and Russian linguist and earned both the National Defense Service Medal and the Naval Occupation Service Medal.

Patrick grew up in Pennsylvania and attended Georgetown University in Washington, D.C. before moving to Chicago in 1960 to attend the University of Chicago Graduate School in Education.

After Jim's honorable discharge from the military, he met Patrick in Chicago on July 17, 1963. They have been in a committed relationship ever since. Jim spent a 29-year career as a teacher in the Chicago Public Schools where he was recognized in 1985 as the Outstanding Teacher of the Year. Patrick spent a career working at the National Opinion Research Center. When Illinois legalized same-sex civil unions in 2011, Jim and Patrick were among the first couples to share in that new form of partnership.

Together, Jim and Patrick have been working to ensure equality for all Americans serving in our armed forces. Jim founded the Chicago chapter of American Veterans for Equal Rights (AVER) in 1992 and served for many years on the organization's executive board. Jim and Patrick have attended every AVER conference since 1992 and fought together to end discrimination against gay men and lesbians serving in the United States Armed Forces and for the repeal of Don't Ask Don't Tell.

Jim and Patrick are also active in the fight for marriage equality in Illinois. As the lead plaintiffs in Darby v. Orr, the case before the Illinois Supreme Court challenging the ban on marriage equality as unconstitutional, Jim's and Patrick's advocacy and testimony have been instrumental in the fight to bring equal rights to all citizens of Illinois.

Mr. Speaker, I ask my colleagues to join me in recognition of the 50th Anniversary of James Darby and Patrick Bova, a Chicago couple whose patriotic advocacy is improving the lives of gay and lesbian Americans in Illinois and across the country.

HONORING THE 100TH ANNIVERSARY OF THE RAMSEY COUNTY FAIR

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Ms. MCCOLLUM. Mr. Speaker, today I rise to pay tribute to the many dedicated volunteers, exhibitors, sponsors and visitors of the Ramsey County Fair on the occasion of the 100th anniversary of this community festival. This annual fair attracts thousands of attendees through a wide variety of events and activities that entertain families today.

The Ramsey County Fair began in 1913 in White Bear Lake, Minnesota as a simple agricultural event where farmers showcased produce and livestock as well as recent innovations. As the rural parts of Ramsey County gave way to suburban development during the 1950's, the fair had to adjust its events to appeal to a new generation of visitors. Creative arts activities and shows became more prevalent than traditional agriculture. As local historian Jim Lindner has said ''the fair had to change to stay relevant, and it did.'' In 1953, the White Bear Lake School Board purchased the former fairgrounds to expand a local school, forcing the fair to find a new home. The fair opened in its current location in Maplewood, Minnesota in 1954 on what was known as the Ramsey County Poor Farm.

As the Ramsey County Fair prepares to begin its second century of community celebration, the event continues to educate, entertain and delight families from across the Saint Paul-Minneapolis metropolitan area. Mr. Speaker, in honor of the 100th Anniversary of the Ramsey County Fair, I am pleased to submit this statement.

HONORING PEARL HARBOR SURVIVOR WALTER R. GORR

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. DENHAM. Mr. Speaker, I rise today to honor Pearl Harbor survivor Walter R. Gorr, who passed away on July 8. Staff Sergeant Gorr served the United States of America honorably and earned a Bronze Star.

Mr. Gorr was born in Shell Lake, Wis., on July 4, 1918. He was living in Tracy, California at the Astoria Gardens care facility following a long illness.

In addition to serving in the United States Army, Mr. Gorr was a member of Mount Oso Masonic Lodge, the Order of the Eastern Star, the Tracy American Legion and Veterans of Foreign Wars posts and several other organizations. He was a proud member of the First United Methodist Church.

Mr. Gorr leaves behind a son, Darrell Gorr, and his wife, Sherry, of San Jose; a daughter, Linda Hahn, and her husband, Mark, of Ladera Ranch; and two grandchildren. Preceding his death were his wife of 61 years, Dorothy Gorr, who died in 2008, three brothers and five sisters.

Walter R. Gorr was a retired Tracy High School teacher but is probably best known as Tracy's last Pearl Harbor survivor.

Mr. Speaker, please join me in honoring Walter R. Gorr for his accomplishments and contributions. He will be remembered as a highly respected Tracy school teacher and for his efforts in bettering and developing services for veterans.

THE INTRODUCTION OF THE FEDERAL EMPLOYEE SHORT-TERM DISABILITY INSURANCE ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Ms. NORTON. Mr. Speaker, today, as many our federal workers face furloughs and a third year of pay freezes, I introduce the Federal Employee Short-Term Disability Insurance Act of 2013, which will help provide some financial relief for federal employees who suffer a short-term injury or disability. This bill will offer federal employees short-term disability insurance at no cost to the federal government. Employees will be responsible for 100 percent of the premiums. If federal employees elect to purchase the short-term insurance provided for in my bill, and they become injured or ill because of a non-work-related injury or illness, they will be able to collect disability insurance benefits, for up to one year, to replace a portion of their lost income.

I decided to investigate how we could provide short-term disability insurance to federal employees after learning that many of them already buy short-term disability insurance as individuals in the private market at high rates. Although federal employees have good health insurance, federal health benefits do not replace lost income if employees are unable to work. And, while federal employees may have available sick or annual leave days, they may not have enough such days if they have to be out of work for an extended period of time. Moreover, although there are long-term disability options for federal employees who become permanently disabled, federal employees do not qualify for such benefits if they have not worked for at least 18 months. My bill does no more than put federal employees in the same position as their private sector counterparts, who have access to disability insurance through their employers at group rates. The bill will not allow participating insurance companies to exclude persons based on pre-existing conditions. And, because of the federal government's purchasing power, the bill will provide all of these benefits at a more competitive rate than is available if an employee sought such insurance as an individual.

According to the Social Security Administration, studies indicate that a 20-year-old worker has a one in four chance of becoming disabled by retirement age. The majority of disabilities are not caused by major accidents,

but by conditions or illnesses, such as cancer or back injuries, according to the Council for Disability Awareness.

I strongly urge my colleagues to support this bill.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

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 $16,738,188,365,630.03. We've added $6,111,311,316,716.95 to our debt in 4.5 years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING ERNEST J. GAINES FOR RECEIVING THE NATIONAL MEDAL OF ARTS FROM THE PRESIDENT OF THE UNITED STATES

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. BOUSTANY. Mr. Speaker, I rise today to honor Dr. Ernest J. Gaines for receiving the National Medal of Arts from the President of the United States for his achievements as an author and teacher in the state of Louisiana.

When presenting this award, President Barack Obama praised Dr. Gaines for rising above early childhood adversities in the segregated rural south to make unique contributions to American literature. The President also thanked Gaines for spending "more than 20 years teaching college students to find their own voices and reclaiming some of the stories of their own families and their own lives."

Describing his journey as a novelist, Gaines once said, it was "only when I tried to write about Louisiana, that I really put everything I had—my soul—and everything I had into it." Gaines said he traveled swamps, bayous, restaurants and bars throughout South Louisiana to prepare to write his classic novel, A Lesson Before Dying. Following its publication, he received a Pulitzer Prize nomination and the National Book Critics Circle Award. Screen play adaptations of three of his novels have also broadcast on CBS and HBO.

As writer-in-residence emeritus at the University of Louisiana at Lafayette, Dr. Gaines holds numerous honors, including the National Humanities Medal and recognition by the Academy of Achievement, the American Academy of Arts and Letters, and the Order of Art and Letters in France.

Louisiana is blessed to have this world-famous author among us. As a national treasure, his books will continue to inspire future generations of Americans.

HONORING DR. F. JOE CROSSWHITE

HON. JASON T. SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the career of Dr. F. Joe Crosswhite, a lifelong teacher and mentor from Springfield, Missouri. As a boy, Joe grew up during the Great Depression taking any job he could find to help his family pay the bills. After marrying his high school sweetheart, Dorothy Berry, he enrolled at the University of Missouri, Columbia, and earned his B.S. in Education with dual majors in Mathematics and English Literature. He taught high school mathematics in Salem, Missouri where he was chosen as the faculty sponsor for the Class of 1957. As a testament to his character, he not only mentored that class for the next four years of high school, but maintained a 60 year relationship with his students, attending class reunions and other events.

Dr. Crosswhite earned his M.Ed. in Secondary Education and Ph.D. in Mathematics education before retiring from The Ohio State University with the title of Professor Emeritus and accepting a full time position as President of the National Council of Teachers of Mathematics. Dr. Crosswhite was the President of the National Council of Teachers of Mathematics (NCTM) from 1984–1986 when the national mathematics standards were first being developed. This was the first attempt by an organization to develop national standards and guidelines for the teaching and learning of any subject. He finished his career at Northern Arizona University as a professor of Mathematics.

Joe has shown his incredible ability to transform lives and encourage students to strive toward their dreams. There are two separate scholarships given in his name to students who demonstrate excellence in mathematics. Joe's many accolades do not outshine his love of teaching or his unparalleled devotion to his students, for which he will always be remembered. He is well respected and loved by all who know him.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. COLE. Mr. Speaker, on July 10, 2013, I was unavoidably detained and was not present for rollcall vote No. 343. Had I been present, I would have voted "no."

CELEBRATING TLC PROPERTIES 25TH ANNIVERSARY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize and honor the 25th Anniversary of TLC Properties.

TLC Properties was founded 25 years ago by Sam and Carol Coryell. The Coryells were college music teachers who had a desire to establish a real-estate business to supplement their income and retirement and to fulfill a dream of owning their own business. Over the last 25 years, Sam and Carol have grown their business from just a handful of units to approximately 3,000 units in the Springfield area.

In 1999, Sam and Carol welcomed their three sons Sam M., Daniel, and David to the family business. The elder Coryells were sure to pass on to their sons the two leading values of TLC Properties: strong character and service. These two values, coupled with the entrepreneurial spirit, compassionate care, and friendly service, promise that TLC Properties will continue to grow, succeed, and serve the Springfield area for years to come.

However, the business success of TLC Properties over the last 25 years does not outshine their contributions to the community; they have donated time and money to various worthy causes. Over the years, TLC Properties has been honored with many prestigious awards including the W. Curtis Strube Small Business of the Year Award in 2009 and the Springfield News-Leader Best Property Management Company Award for the years 2009–2012.

I am honored to recognize TLC Properties, Sam, Carol, their sons, and their outstanding staff for the service they have given to the Springfield area for the past 25 years.

ON THE RETIREMENT OF BELLE GROVE PLANTATION DIRECTOR, ELIZABETH McCLUNG

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. WOLF. Mr. Speaker, I rise today to recognize and honor Elizabeth McClung, the executive director of Belle Grove Plantation in Middletown, Virginia, who will retire at the end of this month.

Elizabeth has led Belle Grove for 17 years and I have had the privilege of working with her many times over the years. We both worked to establish Cedar Creek and Belle Grove National Park, which would not have been successful without her hard work and dedication. She has also made extraordinary improvements to the manor through her passion for restoration and historic preservation.

I want to commend Elizabeth on an outstanding job. I wish her all the best in her retirement in Highland County.

I submit a recent news article from the Winchester Star on Elizabeth's remarkable career.

[From the Winchester Star, July 9, 2013]

EXITING BELLE GROVE DIRECTOR RECEIVES PRAISE

(By Laura McFarland)

MIDDLETOWN.—Belle Grove Plantation Executive Director Elizabeth McClung is going out on a high note. With the house in good shape, visitation up, and a "great board in place," she said she is leaving Belle Grove in good hands.

She will retire July 31 after almost 17 years with the historic house in Middletown.

Although there are plenty of new milestones ahead for the historic manor, McClung said she doesn't have any regrets in leaving them to her successor. She is proud of what she accomplished at Belle Grove during her time and will remain an "enthusiastic supporter and continue cheering from the grandstands."

"I wanted to leave on an upswing, and I also didn't want to stay long enough to become an antique," she said with a laugh. McClung gave her notice to Belle Grove's board of directors in March and a search committee was formed to fill the position, said John Adamson, chairman of the board.

An announcement about her replacement could be made as early as this week.

During McClung's time at Belle Grove, she demonstrated that running the house was as much about helping it become part of the community as ''preserving limestone walls and beautiful grounds,'' Adamson said. He praised her for doing the latter as well.

TRIPLED HOLDINGS

Under McClung, Belle Grove has tripled its property holdings with the acquisition of 183 adjacent acres and of Bowman's Fort near Strasburg, Adamson said.

Both of these historic sites are within the boundaries of the Cedar Creek and Belle Grove National Historical Park, he said.

McClung championed the need for the park, was part of the team that wrote the original legislation to establish it, and helped create a general management plan to act as a road map for its future.

Adamson says the ''active partnerships'' McClung built with a number of organizations in the community are a big part of what made the park possible.

''I think Elizabeth has been the glue that pulled all of these together and made Belle Grove something personal to each of these organizations,'' said Adamson, of Strasburg.

MANOR HOUSE IMPROVEMENTS

That energy was also focused on Belle Grove, whether it was creating or putting together an event or working to improve the house itself, said Nancy Lee Corner, lead volunteer. McClung approached the projects with a passion and organization that simply makes people ''feel at ease as soon as they meet her.''

The 1797 Manor House's interior was restored to its historically accurate appearance and the structure and its outbuildings were repaired using historic preservation practices, she said.

''All the things she has done to bring that about on the decorative part of the house—the carpet, the painting, the furniture—all of that has contributed greatly to the house and interpreting it,'' said Comer, of Stephens City.

Those kind of changes take money, so McClung constantly was looking for new fundraising ideas, ways to improve upon existing ones, or grant writing opportunities, said Sandy Dunkle, chair-elect of the board. She is a ''forward thinking person'' who is cheerful and knows how to handle herself regardless of the situation, she said.

Dunkle praised the Hite of Excellence Dinner Series—now in its 16th year—that McClung created as a fundraiser.

''It has been one of our biggest sources of income and that is all because Elizabeth McClung brought that to us. Still today, it is a strong part of our financial picture,'' said Dunkle, of Frederick County.

MAKING CHANGES

McClung had a tough road ahead of her when she took over Belle Grove in 1997, said Fred Andreae, who has been chairman of the board twice and served on the search committee when she was hired as well as the current one that will seek her successor.

Before she came, Belle Grove was run in a ''more casual way, a little less businesslike way,'' Andreae said. When McClung was hired, she put a more professional atmosphere in place and didn't balk when it became apparent that the manor house's finances were not as good as originally believed, he said.

The first three years were the most challenging for her because they were all about bringing the house into the 21st century ''while still keeping the important historic structures true to their period,'' McClung said.

''There were no computers. There were no financial systems in place. We were the mule train on the information highway,'' she said. ''We had no Internet or hadn't dreamed of getting email because we didn't have any computers.''

In more recent years, she faced the same problem as other nonprofit groups in struggling to fund operating costs, she said.

There were cuts in funding from the state and federal levels and private foundations, who were no longer providing unrestricted funds, she said. They began focusing instead on fundraising for special projects.

''When you have a house that was built in 1797 and a lot of property with cattle, fences and other structures, there is always something falling apart that you have to manage,'' she said.

Over the years, McClung has maintained a small, capable staff and an active and energetic group of volunteers that run the house's day-to-day operations and special events, Andreae said.

''When we go through tough economic times, it is a difficult operation to run,'' he said. ''You have to be on your toes and be out raising money and keeping your staff and volunteers happy. They are the people the public sees.''

Other highlights from her time at Belle Grove that McClung looks back on proudly are restoring the historic landscape around the house and gardens, beginning a junior docent program to engage young people to ''maintain and preserve important touchstones,'' and creating the Belle Grove 1797 Whiskey and Belle Grove 1797 Whiskey Chocolates.

FUTURE PLANS

After working at Belle Grove for almost 17 years and in the nonprofit sector overall for more than 40 years, McClung, who declined to share her age, said she is eager for unstructured time.

She earned a bachelor's degree in 1969 at the Tyler School of Art of Temple University in Philadelphia.

Before coming to Belle Grove, she was the director of development for four years at the Museum of American Frontier Culture in Staunton.

McClung and her husband, Kent, will move to their home in Highland County, which they have owned for more than 30 years. The move will allow her to spend time on her artwork, which she hasn't had time to pursue in recent years.

''When you are the director of a nonprofit of any kind, it is fairly strenuous. It involves a lot of weekends, evenings and holidays,'' McClung said. ''It will be wonderful to have time off.''

HONORING THE DISTINGUISHED CAREER OF BOB TRIMBORN UPON HIS RETIREMENT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me today to honor the distinguished career of Bob Trimborn, who retired on July 1 after seventeen years as Director of the Santa Monica Airport. Over the years, Bob has been a critically important advocate for airport neighbors and airport users and he will be greatly missed.

Bob discovered his love of aviation early in life. He got his first real taste of flying at the Hawthorne Municipal Airport, where he flew his first plane at the age of fourteen. He later became a private pilot, a commercial pilot and in 1983 was hired as the Airport Manager in Hawthorne, where he worked for 10 years. He spent three years in Reno, Nevada serving as the Airport Manager at the Reno Stead Airport before the City of Santa Monica hired him as Airport Director for SMO in 1996.

Bob took real pride in telling the story of the rich history of the airport and delighted in sharing a photo presentation about the evolution of SMO. The airport opened in 1917, gave flight to aviation adventurers like Amelia Earhart and Bessie Coleman, and was once home to Douglass Aircraft, which produced the celebrated DC–3.

But Bob's lasting legacy will be his impassioned advocacy, which made a real difference in the lives of airport neighbors and users. He worked tirelessly with elected officials, the commissioners, and the surrounding community to promote transparency and seek solutions to the challenges facing the airport. I congratulate Bob on his many years of service to the City of Santa Monica and wish him all the best in his retirement.

RECOGNIZING LEE GOLDMAN FOR HIS ACHIEVEMENTS IN JOURNALISM

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. MEADOWS. Mr. Speaker, I rise to congratulate Lee Goldman of Flat Rock, North Carolina, on having three of his columns featured on the Supreme Court's SCOTUSblog within the past month.

For three separate articles on controversial legal issues to gain the attention of the highest court of the land is a tremendous achievement that deserves to be commended.

Mr. Goldman has shared his writing talents with the 11th District of North Carolina for years. From 2009–2012, Mr. Goldman wrote an op-ed column on national politics for the Asheville Citizen-Times in Asheville, NC. Now, as he did in 2008, he writes his column for the Hendersonville Times-News in Hendersonville, NC.

Mr. Goldman devoted a large part of his life to serving in the federal government from 1964–2001. He worked as Staff Director of the United States Senate Subcommittee on Health and Scientific Research and also as an Associate Director at the National Institutes of Health. Mr. Goldman was a member of the Senior Executive Service, Director of Federal Liaison for the Association of American Medical Colleges and a Senior Policy Advisor for the National Alliance Against Mental Illness.

Mr. Speaker, as a Representative for the 11th District of North Carolina, I commend Mr. Goldman for his talents and thank him for his contributions to our district and nation.

INTRODUCING THE ''SAVING AMERICA'S POLLINATORS ACT OF 2013''

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. CONYERS. Mr. Speaker, today I rise with the support of my colleague and friend Mr. BLUMENAUER of Oregon to introduce the ''Saving America's Pollinators Act of 2013.'' This legislation requires the Administrator of the Environmental Protection Agency to take swift action and prevent future mass die-offs of honey bees.

One of every three bites of food we eat is from a crop pollinated by honey bees. These crops include: apples, avocados, cranberries, cherries, broccoli, peaches, carrots, grapes, soybeans, sugar beets and onions. Unfortunately, unless swift action is taken, these crops, and numerous others, will soon disappear due to the dramatic decline of honey bee populations throughout the country. For over a decade now, honey bees have been suffering rapid population losses as a result of a phenomenon known as 'colony collapse disorder.' Another decade of these mass die-offs will severely threaten our agricultural economy and food supply system.

Scientists have reported that common symptoms of this decline are attributed to the use of a class of insecticides known as neonicotinoids. The 'Saving America's Pollinators Act' will address the decline of honey bee populations by directing the Administrator of the Environmental Protection Agency to suspend the registration of certain neonicotinoids—known as imidacloprid, clothianidin, thiamethoxam, dinotafuran—and any other members of the nitro group of neonicotinoid insecticides until the Administrator has made a determination that such insecticides will not cause unreasonable adverse effects on pollinators based on an evaluation of peer-review scientific evidence and a completed field study. The bill will also require the Secretary of the Interior, in coordination with the Administrator of the Environmental Protection Agency, to regularly monitor the health and population status of native bees and identify the scope and likely causes of unusual native bee mortality.

This legislation is extremely critical to examining the death of honey bees and will allow us the opportunity to adequately secure our future food supply. I urge my colleagues to support this legislation and protect America's pollinators.

IN TRIBUTE TO BESSIE MARIE GRAY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Ms. MOORE. Mr. Speaker, I rise today to recognize a mother, teacher, mentor, and community leader, Bessie M. Gray. On July 21, 2013 her over 40 years of service will be celebrated and honored along with family, friends, former employees, and former students at a program entitled, ''Mother to Many, Teacher to More and Mentor to All.''

Mrs. Bessie Gray was born in Pine Bluff, Arkansas and moved to Milwaukee after graduating from high school, where she met and married her husband, Percy. She began her child care business in her home in 1973 after working as a Head Start volunteer. Gray's Child Development Center, Inc. became a nonprofit organization and was accredited by the National Association for the Education of Young Children (NAEYC). It was the first African American-led program in the State to achieve this accreditation.

Mrs. Gray earned her bachelor's degree in early childhood education from the University of Wisconsin—Milwaukee and her master's degree in educational administrative leadership from Marquette University. She was a State certified child care trainer for many years and started hundreds of teachers on their way to successful child care careers. She served on many boards and is a past member of Wisconsin Early Childhood Association (vice president), Midwest Early Childhood Association, Black Child Development Institute, and Easter Seals Southeastern Wisconsin. She continues to be available for board consultation.

In 1991, Mrs. Gray began purchasing a property on North Teutonia Avenue from the Sisters of Sorrowful Mother. After providing day care services for children at this site for three years, the Sisters gifted the property to Mrs. Gray. For the next 20 years, Gray's operated out of that facility until its closure in 2011.

Many honors and awards have been bestowed upon Mrs. Gray during her career, including Milwaukeean of the Month (Milwaukee Magazine) 1981, First African American Nationally Accredited Child Care Center in Wisconsin 1994, State of Wisconsin Annual Martin Luther King Jr. Heritage Award 2001, and Black Child Development Wisconsin Affiliate/Child Care category 2009. She has touched the lives of thousands during her 48 years of service to children and their futures. When parents could not afford to pay the child care fees, she absorbed these costs to ensure that parents could maintain employment stability or finish their schooling.

Bessie Gray is a woman armed with a strong personal faith. She taught Sunday school and provided a nursing home ministry. She was married to Percy Gray, Sr. for over 55 years until his passing in December 2010, and is the mother of nine children, with 23 grandchildren and several great grandchildren.

Mr. Speaker, for these reasons, I am honored to pay tribute to Bessie M. Gray, my friend. Mrs. Gray's contributions have greatly benefited the citizens of the Fourth Congressional District.

HONORING THE CITY OF ELLSWORTH, MAINE

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to honor the city of Ellsworth, Maine as it celebrates its 250th anniversary.

Located in the heart of Hancock County, and a gateway to Acadia National Park, Ellsworth is one of our state's fastest growing and picturesque communities. It serves as the county seat and is a regional center for Downeast Maine, with agricultural, commercial, and educational resources that are utilized and embraced by thousands of nearby Mainers.

The town was settled in 1763 and named after Oliver Ellsworth, a delegate to the 1787 United States Constitutional Convention. The city combines a comfortable small town feel with the beautiful scenery of Maine's coastline. One of Ellsworth's many attractions includes the Downeast Scenic Railroad, which begins in the town and travels along the historic, recently renovated, Calais Branch line.

The residents of Ellsworth embody the values of the hardworking people of Maine, and they take great pride in the rich heritage they have created over the past 250 years. It is an honor and a privilege to represent the people of Ellsworth in Congress, and I am pleased to have this opportunity to help the town celebrate its 250th anniversary.

Mr. Speaker, please join me in congratulating the people of Ellsworth and wishing them well on this joyous occasion.

SUPPORT OF ROBUST FUNDING FOR THE NATIONAL INSTITUTES OF HEALTH AND THE NATIONAL CANCER INSTITUTE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of robust funding for the National Institutes of Health and the National Cancer Institute. This funding is critically necessary to support life-saving research for diseases like pancreatic cancer.

In the 112th Congress, I cosponsored the Recalcitrant Cancer Research Act, which calls on the National Cancer Institute to develop a scientific framework for combating pancreatic cancer and lung cancer. This scientific framework will identify the most promising avenues for research and coordinate resources to achieve a greater impact.

Mr. Speaker, strategic investment in pancreatic cancer research is absolutely crucial. While overall cancer incidence and death rates are declining, pancreatic cancer remains the deadliest of all major forms of cancer. Pancreatic cancer has a devastatingly low five-year survival rate of just six percent, and it will impact over 45,000 Americans this year.

Unfortunately, funding for the NIH and the National Cancer Institute has been declining due to inflation and sequestration. I urge my colleagues to support a permanent fix to sequestration and provide the resources needed to help every American suffering from cancer.

IN HONOR OF CARTERET COUNTY ANIMAL SHELTER AND THE ASPCA

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. JONES. Mr. Speaker, I would like to take a moment to honor the Carteret County

Humane Society Animal Shelter, the American Society for the Prevention of Cruelty to Animals, and the volunteers in Carteret County, North Carolina, who answered the call to help homeless animals in their local community.

The Carteret County Animal Shelter, located in my district, was facing the loss of its state license and possible closure unless it underwent significant improvement due to a tight budget on the local, state, and federal levels. This shelter is the only facility in the area that provides a place for homeless pets to stay while they wait for adoption.

In an unprecedented outpouring of support from the community, more than 100 volunteers, including 30 U.S. Marines from Marine Corps Air Station Cherry Point, came together to renovate the facility. The ASPCA, through its nationwide grants program, was more than willing to provide essential funding for supplies and improvements as well.

As a result of this funding and assistance from the community, the shelter was given preliminary approval to reapply for its license and continue its work as a safe haven for homeless animals in Carteret County.

This situation is a testament to the incredible results that are possible when local citizens, along with national organizations like the ASPCA, come together to serve a community.

I want to thank the Carteret County Humane Society Animal Shelter, the ASPCA, and the people of the Third District of North Carolina for their work on behalf of the homeless animals in Eastern North Carolina. These individuals and organizations have provided a tremendous service to Carteret County, and I am pleased to have them recognized by the United States Congress.

RECOGNIZING KIA MOTORS FOR THEIR ONE MILLIONTH CAR BUILT IN WEST POINT, GA

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. WESTMORELAND. Mr. Speaker, I come before you today to recognize a tremendous milestone for Kia Motors Manufacturing Georgia: The completion of their one millionth car built in West Point, Georgia. This is a huge achievement for Kia Motors North America and for Georgia, as West Point is the first Kia automobile manufacturing facility on our continent.

Beginning in November of 2009, Kia Motors Manufacturing Georgia has been rolling out cars and keeping over 11,000 Georgians employed. Using on-site and local suppliers, they've helped to grow the Third District's economy with quality manufacturing, excellent jobs, and a deep commitment to improving our community. Kia Motors Manufacturing Georgia's continued success led to a $100 million expansion in early 2012, increasing their annual capacity to 360,000 vehicles. In fact, the best-selling vehicle in the U.S., the Optima, is built in West Point, Georgia.

One million cars in four years is a huge success for Kia and for Georgia. Kia's achievements showcase how great Georgia is for manufacturing and business, and I thank them for their commitment to improving our district's economy. I am honored that Kia Motors Manufacturing Georgia calls the Third District home and look forward to sharing many more milestones with them in the future.

IN RECOGNITION OF MR. ELLIOTT LYNN, WINNER OF AUBURN'S POLITICAL SCIENCE LEADERSHIP AWARD

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to commend an outstanding young leader who attends Auburn University, which is a leading research and educational institution in my district in Alabama. Auburn's political science department each year recognizes a student leader who excels in both the classroom and the community. It's my honor to announce that Mr. Elliott Lynn is this year's winner of Auburn's Political Science Leadership Award. A faculty committee selected Elliott after careful consideration of his outstanding credentials.

Elliott is from Phenix City, Alabama. He is a senior political science major with an outstanding 3.95 Cumulative Grade Point Average. Elliot is a National Merit Scholar and on the Dean's List. He is a member of many honor societies, including Phi Eta Sigma, Pi Sigma Alpha and Pi Lambda Sigma. Elliott is an Honors College Drummond Scholar and a recipient of the Auburn University Marie Glass Ward Endowed Academic Scholarship.

Elliott is active in helping the community, and he participated in multiple service trips to underserved communities in the U.S. and in developing countries. He went to Haiti to build housing for the victims of the 2010 earthquake. He also volunteered as a teaching assistant with the Victory Mission at a church in Columbus, Georgia, and volunteers at the Columbus Habitat. Last summer, Elliott had the opportunity to intern with our colleague in the other chamber, Senator RICHARD SHELBY, and he has also interned with a Circuit Court Judge in Alabama.

After graduating from Auburn, Elliott plans to attend law school and work in human rights or public interest law. He hopes his career will allow him the opportunity to make a difference in the lives of others.

Mr. Speaker, I offer my congratulations to Elliott and thank Auburn University for producing such outstanding students and citizens.

KILLEN'S STEAKHOUSE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. OLSON. Mr. Speaker, I rise today to recognize Chef Ronnie Killen and the staff of Killen's Steakhouse in Pearland, Texas. It's no secret that Texas is known for its beef. Killen's Steakhouse has been ranked the number one steakhouse in Texas and the number six steakhouse in the United States out of The Daily Meal's top 20 American Steakhouses. This is an exceptional honor, and reflects the hard work, talent and dedication to culinary craft that Chef Killen and his staff have contributed. This upscale steakhouse is the only restaurant in the Pearland area serving Allen Brothers USDA prime beef, and I am more than excited to be a loyal patron.

Small businesses make up the backbone of the U.S. economy and play a crucial role in American productivity and economic vitality. We must continue to support small businesses like Killen's Steakhouse, and I look forward to hearing from Chef Killen as a small business owner about the needs and concerns of the small business community.

Congratulations to Killen's Steakhouse for achieving this prominent ranking. On behalf of all residents of the Twenty-Second Congressional District of Texas, I am honored to recognize this achievement. Our community is proud that Killen's Steakhouse calls Pearland home. I wish Chef Killen and his staff the best of luck in the future.

PERSONAL EXPLANATION

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. BARBER. Mr. Speaker, due to attending the memorial for the 19 firefighters who died fighting the wildfire in Yarnell, Arizona, I missed 20 recorded votes on July 9, 2013. I would like to indicate at this point how I would have voted had I been present for those votes.

On rollcall vote No. 308, H. Res. 288, I would have voted "yea" On Ordering the Previous Question to begin consideration of the bill (H.R. 2609) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

On rollcall vote No. 309, H. Res. 288, I would have voted "yea" On Agreeing to the Resolution for consideration of the bill (H.R. 2609) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

On rollcall vote No. 310, Journal, I would have voted "no" on approving the Journal.

On rollcall vote No. 311, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted "no" to strike the section of the bill that would prevent the Army Corps of Engineers from updating guidance concerning federal jurisdiction under the Clean Water Act.

On rollcall vote No. 312, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted "no" to strike the section that would prevent the Army Corps of Engineers from changing the definitions of "fill material" or "discharge material" under the Clean Water Act.

On rollcall vote No. 313, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted "no" to increase renewable energy, energy reliability, and efficiency by $245 million and to decrease Weapons Activities by the same amount.

On rollcall vote No. 314, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted "no" to increase Renewable Energy, Energy Reliability and Efficiency by $31 million and reduces Departmental Administration by the same amount.

On rollcall vote No. 315, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to reduce Renewable Energy, Energy Reliability, and Efficiency by $9.8 million and transfer the same amount to the Spending Reduction Account.

On rollcall vote No. 316, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to increase Renewable Energy, Energy Reliability, and Efficiency by $50 million and decrease Weapons Activities by the same amount.

On rollcall vote No. 317, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to reduce Renewable Energy, Energy Reliability, and Efficiency by $4.75 million and transfer the same amount to the Spending Reduction Account.

On rollcall vote No. 318, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''yea'' to increase Renewable Energy, Energy Reliability, and Efficiency by $1 million and decrease Departmental Administration by the same amount.

On rollcall vote No. 319, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to reduce the Renewable Energy, Energy Reliability, and Efficiency and Fossil Energy Research and Development by $1.5 billion collectively, and transfer the same amount to the Spending Reduction Account.

On rollcall vote No. 320, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''yea'' to increase Renewable Energy, Energy Reliability, and Efficiency by $10 million and decrease Departmental Administration by the same amount.

On rollcall vote No. 321, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to increase Renewable Energy, Energy Reliability, and Efficiency by $15 million and decrease Weapons Activities by the same amount.

On rollcall vote No. 322, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to increase Renewable Energy, Energy Reliability, and Efficiency by $15.5 million and reduce Weapons Activities by the same amount.

On rollcall vote No. 323, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to increase Renewable Energy, Energy Reliability, and Efficiency by $20 million and reduce Weapons Activities by the same amount.

On rollcall vote No. 324, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to increase Renewable Energy, Energy Reliability, and Efficiency by $40 million and reduce Weapons Activities by the same amount.

On rollcall vote No. 325, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to decrease Nuclear Energy by $25 million and increases Office of Science account by the same amount.

On rollcall vote No. 326, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to reduce Fossil Energy Research and Development and Weapons Activities by $127 million collectively and increase Advanced Research Projects Agency—Energy by the same amount.

On rollcall vote No. 327, H.R. 2609, the FY2014 Energy and Water Appropriations Bill, I would have voted ''no'' to increase Office of Science account by $500 million and decrease Weapons Activities by the same amount.

HONORING HOPE CARROLL

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize Hope Carroll, winner of the Stars and Stripes Spectacular essay contest, for her inspiring essay titled ''What Freedom Means to Me.'' I had the pleasure of listening to Hope read her essay at the annual Stars and Stripes Spectacular on July 4th in Portland, Maine.

One of the best parts of my job as a member of Congress is having the opportunity to witness the great talent and potential of our nation's young people. This rising 6th grader, from Lincoln Middle School, represents the best and brightest among them. I would like to take this opportunity to share Hope Carroll's essay with the House of Representatives.

Freedom is bravery, confidence and love. Bravery is standing up for your freedom, confidence helps you believe in your freedom, confidence helps you believe in your freedom and love takes care of it. Freedom is laughing and crying. When my family laughs together there is not a care in the world and that is freedom. We cry together, it is the way we express our sadness, that is freedom. Freedom is dancing around the room when no is watching because being silly and happy is freedom. Freedom is nature, beautiful trees and lovely pink flowers. Freedom is bravery, confidence, love, laughing, crying, silly, happy and beautiful.

Hope showed bravery and confidence well beyond her years in reading her essay, and I look forward to following her progress as a writer.

Mr. Speaker, please join me in congratulating Hope Carroll, winner of the Stars and Stripes Spectacular essay contest.

HONORING MARK COVERT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. BLUMENAUER. Mr. Speaker, I rise today to mark the end of an era. On July 23, 2013, the man who holds the U.S. record—and possibly the world record—for the longest continuous running streak will be hanging up his shoes. Mark Covert, a legend in the world of track and field, has run at least one mile every day for the last 45 years.

In D.C. terms, that means he has run through nine presidential administrations, seven economic recessions and over 20 sessions of Congress. On a personal level, he has laced up his shoes every day through storms, heat waves, illnesses, surgery and even the births of his four children. If you ask him how he did it, he'll tell you it would never have been possible without the full support and encouragement of his wife Debi—especially on the birthdays.

Not only has he run through history, he has made it. In the 1972 U.S. Olympic Marathon Trials, Covert was the first athlete to cross a finish line wearing an unusual pair of shoes with rubber soles that were made on a waffle iron. An entrepreneur by the name of Bill Bowerman had given him these shoes, which became the basis of a little Oregon-based company we like to call Nike. Although he just missed making the 1972 Olympic team, that run—and the nearly 150,000 miles he's covered during the streak, an average of about 9 miles a day for 45 years—secured Mark's spot as a running icon.

Nevertheless, Covert's true impact has been on the many hundreds of students he's coached over the years. He instilled in them not only the skills needed to be successful athletes, but perhaps more important, the skills needed to be successful in life, especially dedication and perseverance in the face of obstacles.

While few of us will choose to take on the challenge of running every single day for 45 years, we can all strive to learn from and perhaps live by his main principle: Never Miss. He may physically end his streak on July 23, but his dogged determination and commitment to leading by example will carry on.

INTRODUCING THE AIRLINE PILOT PENSION FAIRNESS ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, today, I am proud to introduce the Airline Pilot Pension Fairness Act, legislation that would prevent deep, unfair cuts in pilots' retirement benefits.

Nearly forty years ago, Congress established the Pension Benefit Guaranty Corporation to insure the pension benefits of American workers. When employers terminate their workers' traditional pension plans, the PBGC takes the plans over and makes monthly payments to plan participants who are retired.

When the PBGC takes over a company's pension plan, the plan participants do not always receive the same benefit they would have received if their plan had not terminated. For example, workers who retire before age 65—which the law considers ''normal'' retirement age—receive reduced benefits to reflect the longer period that these retirees likely will receive benefits.

This is bad news for many pilots. Until 2007, under Federal Aviation Administration rules, airline pilots were required to retire at age 60. As a result, pilots whose pension plans were terminated—like the pilots at United Airlines and US Airways—wound up taking drastic cuts to their pension benefits because the PBGC treated age 60 as an early retirement age and cut pilots' guaranteed benefits as a result.

This problem was caused because the FAA's mandatory pilot retirement age of 60 and ERISA's normal retirement age of 65 were not aligned. ERISA does not provide a special rule for pilots. Pilots earn every dime of their pension benefits and they didn't choose to retire at age 60. The time to fix this problem is today.

The Airline Pilot Pension Fairness Act would put airline pilots subject to the old FAA rule on equal ground with other workers by requiring the PBGC to treat age 60 as the normal retirement age for these pilots—not as an early retirement age. In other words, these pilots

would receive the maximum PBGC benefit for which they would be eligible if they worked until age 65. If they worked until the age of 57, it would be as if they worked until age 62 and the pilot would receive the appropriate PBGC benefit.

Eight years ago, in a 2005 e-hearing Tom Gardiner, of Bainbridge Island, WA, facing the loss of his retirement nest egg at United Airlines, explained the conundrum facing pilots—

''My name is Tom Gardiner and I am a Captain for United Airlines with a total of 27 years of service. . . . If the PBGC takes over the pilots' defined benefit plan, I will lose at least 2/3 of my promised pension. . . . [One factor] contributing to this huge hit is the adjustment for ''early retirement'' mandated by PBGC rules. Of course, I have no choice in the matter; the FAA regulations require me to retire at age 60. The PBGC considers that to be ''early'' and takes away 35% of what I would otherwise receive from them. It is a classic ''Catch 22''. . . .''

Captain Gardiner is not alone. The Airline Pilot Pension Fairness Act would be a first step to restoring some measure of fairness to these hardworking Americans who have seen promised and hard-earned benefits disappear overnight.

Daily Digest

HIGHLIGHTS

Senator-Elect Edward J. Markey, of Massachusetts, was administered the oath of office by the Vice President.

Senate

Chamber Action

Routine Proceedings, pages S5691–S5715

Measures Introduced: Fourteen bills and one resolution were introduced, as follows: S. 1297–1310, and S. Res. 196. **Page S5708**

Measures Passed:

Majority Party's Committee Membership: Senate agreed to S. Res. 196, to constitute the majority party's membership on certain committees for the One Hundred Thirteenth Congress, or until their successors are chosen. **Page S5713**

Measures Considered:

Keep Student Loans Affordable Act: Senate began consideration of the motion to proceed to consideration of S. 1238, to amend the Higher Education Act of 1965 to extend the current reduced interest rate for undergraduate Federal Direct Stafford Loans for 1 year, to modify required distribution rules for pension plans. **Page S5691**

Swearing in of Senator Markey: The Chair laid before the Senate the certificate of election of Senator-elect Edward J. Markey, of the Commonwealth of Massachusetts, and the oath of office was then administered as required by the U.S. Constitution and prescribed by law. **Page S5691**

Cloture Motions Withdrawn—Agreement: A unanimous-consent agreement was reached providing that the cloture motions with respect to the nominations of Richard F. Griffin, Jr., and Sharon Block, both of the District of Columbia, and Mark Gaston Pearce, of New York, all to be a Member of the National Labor Relations Board, be withdrawn. **Page S5704**

Hochberg Nomination—Agreement: A unanimous-consent agreement was reached providing that the vote on the motion to invoke cloture on the nomination of Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States, occur at 10:00 a.m., on Wednesday, July 17, 2013. **Page S5704**

A unanimous-consent agreement was reached providing that at approximately 9:30 a.m., on Wednesday, July 17, 2013, Senate resume consideration of the nomination, and that the time until 10:00 a.m., be equally divided and controlled between the two Leaders, or their designees. **Page S5713**

Nomination Confirmed: Senate confirmed the following nomination:

By 66 yeas to 34 nays (Vote No. EX. 174), Richard Cordray, of Ohio, to be Director, Bureau of Consumer Financial Protection.

Pages S5692–98, S5698–S5705

During consideration of this nomination today, Senate also took the following action:

By 71 yeas to 29 nays (Vote No. 173), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination.

Pages S5694–95

Nominations Received: Senate received the following nominations:

Kent Yoshiho Hirozawa, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2016.

Nancy Jean Schiffer, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2014.

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

Page S5715

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Richard F. Griffin, Jr., of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27,

2016, which was sent to the Senate on February 13, 2013.

Sharon Block, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2014, which was sent to the Senate on February 13, 2013. **Page S5715**

Messages from the House: **Page S5707**

Measures Placed on the Calendar: **Pages S5691, S5707**

Executive Communications: **Pages S5707–08**

Additional Cosponsors: **Pages S5708–10**

Statements on Introduced Bills/Resolutions: **Pages S5710–12**

Additional Statements: **Pages S5706–07**

Authorities for Committees to Meet: **Pages S5712–13**

Record Votes: Two record votes were taken today. (Total—174) **Pages S5695, S5704–05**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:05 p.m., until 9:30 a.m. on Wednesday, July 17, 2013. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5713.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies approved for full committee consideration an original bill making appropriations for Commerce, Justice, Science, and Related Agencies for fiscal year 2014.

APPROPRIATIONS: HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Department of Homeland Security approved for full committee consideration an original bill making appropriations for Homeland Security for fiscal year 2014.

SITUATION IN SYRIA

Committee on Armed Services: Committee received a closed briefing on the situation in Syria from Admiral James A. Winnefeld Jr., USN, Vice Chairman, Joint Chiefs of Staff, and James N. Miller, Under Secretary for Policy, both of the Department of Defense.

DEFENSE PRODUCTION ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the Defense Production Act, focusing on issues and opportunities for reauthorization, after receiving testimony from Frank Kendall, Under Secretary of Defense for Acquisition, Technology and Logistics; Eric L. Hirschhorn, Under Secretary of Commerce for Industry and Security; and Richard Serino, Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security.

U.S. GASOLINE AND FUEL PRICES

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine how United States gasoline and fuel prices are being affected by the current boom in domestic oil production and the restructuring of the United States refining industry and distribution system, after receiving testimony from Adam Sieminski, Administrator, Energy Information Administration, Department of Energy; Jeffrey B. Hume, Continental Resources, Inc., Oklahoma City, Oklahoma; William R. Klesse, Valero Energy Corporation, San Antonio, Texas; Dan Gilligan, Petroleum Marketers Association of America, Arlington, Virginia; Chris Plaushin, AAA, Heathrow, Florida; and Faisel Khan, Citi Research, New York, New York.

COLORADO RIVER BASIN WATER SUPPLY AND DEMAND STUDY

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine the Bureau of Reclamation's Colorado River Basin Water Supply and Demand Study, after receiving testimony from Michael L. Connor, Commissioner, Bureau of Reclamation, Department of the Interior; Tanya Trujillo, Colorado River Board of California, Pasadena; Don A. Ostler, Upper Colorado River Commission, Salt Lake City, Utah; T. Darryl Vigil, Colorado River Basin Tribes Partnership, Dulce, New Mexico; Taylor E. C. Hawes, The Nature Conservancy Colorado River Program, Boulder; Kathleen Ferris, Arizona Municipal Water Users Association, Phoenix; and Reagan Waskom, Colorado Water Institute, Fort Collins.

EMBASSY SECURITY AND PERSONNEL PROTECTION ACT

Committee on Foreign Relations: Committee concluded a hearing to examine S. 980, to provide for enhanced embassy security, after receiving testimony from Gregory B. Starr, Acting Assistant Secretary for Diplomatic Security, Principal Deputy Assistant Secretary for Diplomatic Security, and Director of the Diplomatic Security Service, and Bill Miller, Deputy Assistant Secretary of High Threat Posts, Bureau of Diplomatic Security, both of the Department of State.

WARTIME CONTRACTING REFORMS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Financial and Contracting Oversight concluded a hearing to examine implementation of wartime contracting reforms, after receiving testimony from Richard T. Ginman, Director, Defense Procurement and Acquisition Policy, Department of Defense; Patrick F. Kennedy, Under Secretary of State for Management; and Aman S. Djahanbani, Senior Procurement Executive and Director, Office of Acquisition and Assistance, Bureau for Management, United States Agency for International Development.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Katherine Archuleta, of Colorado, to be Director of the Office of Personnel Management, after the nominee, who was introduced by Senator Udall (CO), testified and answered questions in her own behalf.

POOLED RETIREMENT PLANS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine pooled retirement plans, focusing on challenges and prospects for employees of small businesses, after receiving testimony from Charles A. Jeszeck, Director, Education, Workforce, and Income Security, Government Accountability Office; Dave Koetje, Christian Schools International, Grand Rapids, Michigan; and Jim Kais, Transamerica Retirement Solutions, Ringoes, New Jersey.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 2689–2702; and 2 resolutions, H. Res. 301–302 were introduced. **Pages H4522–23**

Additional Cosponsors: **Pages H4523–24**

Reports Filed: Reports were filed today as follows:

H.R. 1848, to ensure that the Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, and for other purposes, with an amendment (H. Rept. 113–151);

H.R. 2576, to amend title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents, and for other purposes (H. Rept. 113–152, Pt. 1);

H.R. 2611, to designate the headquarters building of the Coast Guard on the campus located at 2701 Martin Luther King, Jr., Avenue Southeast in the District of Columbia as the "Douglas A. Munro Coast Guard Headquarters Building", and for other purposes (H. Rept. 113–153);

H.R. 568, to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees, with an amendment (H. Rept. 113–154);

H.R. 1211, to amend section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), to provide for greater public access to information, and for other purposes, with an amendment (H. Rept. 113–155);

H.R. 2067, to amend title 5, United States Code, to make permanent the authority of the Secretary of the Treasury to establish a separate compensation and performance management system with respect to persons holding critical scientific, technical, or professional positions within the Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury (H. Rept. 113–156); and

H. Res. 300, providing for consideration of the bill (H.R. 2668) to delay the application of the individual health insurance mandate; and providing for consideration of the bill (H.R. 2667) to delay the application of the employer health insurance mandate, and for other purposes (H. Rept. 113–157). **Page H4522**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bentivolio to act as Speaker pro tempore for today. **Page H4489**

Recess: The House recessed at 12:11 p.m. and reconvened at 2 p.m. **Page H4490**

Whole Number of the House: The Speaker announced to the House that, in light of the resignation of the gentleman from Massachusetts, Mr. Markey, the whole number of the House is 434. **Page H4490**

HIT Policy Committee—Re-appointment: Read a letter from Representative Pelosi, Democratic Leader, in which she re-appointed Mr. Paul Egerman of Weston, MA to the HIT Policy Committee for a term of three years. **Page H4491**

Recess: The House recessed at 2:11 p.m. and reconvened at 5 p.m. **Pages H4491–92**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Small Airplane Revitalization Act of 2013: H.R. 1848, amended, to ensure that the Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, by a ⅔ yea-and-nay vote of 411 yeas with none voting "nay", Roll No. 355; **Pages H4492–94, H4502–03**

Douglas A. Munro Coast Guard Headquarters Building Designation Act: H.R. 2611, to designate the headquarters building of the Coast Guard on the campus located at 2701 Martin Luther King, Jr., Avenue Southeast in the District of Columbia as the "Douglas A. Munro Coast Guard Headquarters Building", by a ⅔ yea-and-nay vote of 411 yeas with none voting "nay", Roll No. 356; and **Pages H4494–95, H4503**

Amending title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents: H.R. 2576, to amend title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents, by a ⅔ yea-and-nay vote of 405 yeas to 2 nays, Roll No. 354. **Pages H4495–H4501, H4501–02**

Recess: The House recessed at 5:37 p.m. and reconvened at 6:30 p.m. **Page H4501**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H4491.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H4502, H4502–03, H4503. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 9:58 p.m.

Committee Meetings

REFORMING THE DRUG COMPOUNDING REGULATORY FRAMEWORK

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled, "Reforming the Drug Compounding Regulatory Framework". Testimony was heard from Janet Woodcock, M.D., Director, Center for Drug and Evaluation and Research, Food and Drug Administration; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee began markup on H.R. 1582, the "Energy Consumers Relief Act 2013"; H.R. 1900, the "Natural Gas Pipeline Permitting Reform Act"; H.R. 83, a bill to require the Secretary of the Interior to develop an action plan to address the energy needs of the insular areas of the United States and the Freely Associated States; H.R. 2094, the "School Access to Emergency Epinephrine Act"; H.R. 698, the "HIV Organ Policy Equity Act"; and H.R. 2052, the "Global Investment in American Jobs Act of 2013".

AUTHORITY FOR MANDATE DELAY ACT; AND FAIRNESS FOR AMERICAN FAMILIES ACT

Committee on Rules: Full Committee held a hearing on H.R. 2667, the "Authority for Mandate Delay Act"; and H.R. 2668, the "Fairness for American Families Act". The Committee granted, by record vote of 6–4, a closed rule for H.R. 2668. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. 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. The rule also provides for a closed rule for H.R. 2667. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. 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. Section 3 of the rule directs the Clerk to, in the engrossment of H.R. 2668, add the text of H.R. 2667, as passed by the House, as a new matter at the end of H.R. 2668 and make conforming modifications in the engrossment. The rule provides that upon the addition of the text of H.R. 2667, as passed by the House, to the engrossment of H.R. 2668, H.R. 2667 shall be laid on the table. Testimony was heard from Representatives Young (IN), and McDermott.

ONGOING INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee held a hearing entitled "Ongoing Intelligence Activities". This was a closed hearing.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 17, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine reauthorization of the Commodity Futures Trading Commission, 2:30 p.m., SH–216.

Committee on Appropriations: Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Missile Defense Agency, 9 a.m., SD–192.

Committee on Armed Services: Subcommittee on SeaPower, to receive a closed briefing on the major threats facing Navy forces and the Navy's current and projected capabilities to meet those threats, 9:30 a.m., SVC–217.

Subcommittee on Strategic Forces, to hold closed hearings to examine revisions to the nuclear employment strategy, 2:30 p.m., SVC–217.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions and Consumer Protection, to hold hearings to examine the consumer debt industry, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine the expansion of internet gambling, focusing on assessing consumer protection concerns, 10 a.m., SR–253.

Full Committee, to hold hearings to examine E-Rate 2.0, focusing on connecting every child to technology, 2:30 p.m., SR–253.

Committee on Finance: to hold hearings to examine health information technology, focusing on quality health care, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the nomination of Samantha Power, of Massachusetts, to be the Representative to the United Nations, with the rank and status of Ambassador and the Representative in the Security Council of the United Nations, and to be Representative to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative to the United Nations, 10 a.m., SD–419.

Full Committee, to hold hearings to examine the nomination of Catherine M. Russell, of the District of Columbia, to be Ambassador at Large for Global Women's Issues, Department of State, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the Department of Homeland Security at 10 years, focusing on harnessing science and technology to protect national security and enhance government efficiency, 10 a.m., SD–342.

Committee on the Judiciary: to hold hearings to examine working together to restore the protections of the "Voting Rights Act", focusing on Selma and Shelby County, 1 p.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine small business tax reform, focusing on making the tax code work for entrepreneurs and startups, 3 p.m., SR–428A.

Committee on Veterans' Affairs: business meeting to consider pending calendar business, 10 a.m., SR–418.

House

Committee on Appropriations, Full Committee, markup on the Commerce, Justice, Science, and Related Agencies Appropriations Bill for FY 2014; and Financial Services and General Government Appropriations Bill for FY 2014, 10 a.m., 2359 Rayburn.

Committee on Armed Services, Full Committee, hearing entitled "The Security Situation in the Syrian Arab Republic—Implications for U.S. National Security and U.S. Policy Options", 10 a.m., 2118 Rayburn.

Committee on Energy and Commerce, Full Committee, continued markup on H.R. 1582, the "Energy Consumers Relief Act 2013"; H.R. 1900, the "Natural Gas Pipeline Permitting Reform Act"; H.R. 83, a bill to require the Secretary of the Interior to develop an action plan to address the energy needs of the insular areas of the United States and the Freely Associated States; H.R. 2094, the "School Access to Emergency Epinephrine Act"; H.R. 698, the "HIV Organ Policy Equity Act"; and H.R. 2052, the "Global Investment in American Jobs Act of 2013", 10 a.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled "Monetary Policy and the State of the Economy", 10 a.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Transportation Security, hearing entitled "Stakeholder Perspectives on TSA Acquisition Reform", 10 a.m., 311 Cannon.

Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies; and the Committee on Oversight and Government Reform's Subcommittee on Energy Policy, Health Care and Entitlements, joint hearing entitled "Evaluating Privacy, Security, and Fraud Concerns with ObamaCare's Information Sharing Apparatus", 10 a.m., 2154 Rayburn.

Committee on House Administration, Full Committee, hearing entitled "Collections Stewardship at the Smithsonian", 10:30 a.m., 1310 Longworth.

Committee on the Judiciary, Full Committee, hearing entitled "Oversight of the Administration's use of FISA Authorities", 10 a.m., 2141 Rayburn.

Full Committee markup on H.R. 2655, the "Lawsuit Abuse Reduction Act of 2013", 2 p.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing entitled "The Department of the Interior Operations, Management, and Rulemakings", 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, hearing entitled "A Washington, DC-based Bureaucratic Invention with Potential Water Conservation and Property Rights Impacts: The National Blueways Order", 2 p.m., 1334 Longworth.

Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, hearing entitled "Why should Americans have

to comply with the laws of foreign nations?'', 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on National Security, hearing entitled ''Border Security Oversight, Part III: Examining Asylum Requests'', 10:15 a.m., 2247 Rayburn.

Full Committee, hearing entitled ''A Path Forward on Postal Reform'', 1:30 p.m., 2154 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 5, the ''Student Success Act''; H.R. 2610, the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014''; and H.R. 2397, the ''Department of Defense Appropriations Act, 2014'', 3 p.m., H–313 Capitol.

Committee on Small Business, Full Committee, hearing entitled ''The Internal Revenue Service and Small Businesses: Ensuring Fair Treatment'', 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing entitled ''Causes of Delays to the FAA's NextGen Program'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Full Committee, legislative hearing on the following: H.R. 813, the ''Putting Veterans Funding First Act of 2013''; H.R. 806, to amend title 38, United States Code, to make permanent the requirement for annual reports on Comptroller General reviews of the accuracy of Department of Veterans Affairs medical budget submissions, and for other purposes; and a Draft Discussion Bill ''To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit to Congress a Future-Years Veterans Program and a quadrennial veterans review, to establish in the Department of Veterans Affairs a Chief Strategy Officer, and for other purposes'', 10:15 a.m., 334 Cannon.

Subcommittee on Disability Assistance and Memorial Affairs, markup on H.R. 2086, the ''Pay As You Rate Act''; H.R. 2189, to establish a commission or task force to evaluate the backlog of disability claims of the Department of Veterans Affairs; and H.R. 2423, the ''Disabled Veterans' Access to Medical Exams Improvement Act'', 2:30 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Health, hearing on the Obama Administration's recent decision to delay the information reporting requirements and penalties associated with the employer mandate in the Affordable Care Act until 2015, 10 a.m., 1100 Longworth.

Subcommittee on Human Resources, hearing entitled ''What Really Works: Evaluating Current Efforts to Help Families Support their Children and Escape Poverty'', 4 p.m., 1100 Longworth.

House Permanent Select Committee on Intelligence, Full Committee, hearing entitled ''Ongoing Intelligence Activities'', 3:30 p.m., HVC–304. This is a closed hearing.

Next Meeting of the SENATE

9:30 a.m., Wednesday, July 17

Senate Chamber

Program for Wednesday: The Majority Leader will be recognized. Senate will resume consideration of the nomination of Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States, and vote on the motion to invoke cloture on the nomination at 10 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 17

House Chamber

Program for Wednesday: Consideration of H.R. 2667—Authority for Mandate Delay Act (Subject to a Rule) and H.R. 2668—Fairness for American Families Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Boustany, Charles W., Jr., La., E1064
Clarke, Yvette D., N.Y., E1061
Coffman, Mike, Colo., E1064
Cole, Tom, Okla., E1064
DeLauro, Rosa L., Conn., E1062
Denham, Jeff, Calif., E1063
Fincher, Stephen Lee, Tenn., E1061, E1062
Long, Billy, Mo., E1064
McCollum, Betty, Minn., E1063
Moran, James P., Va., E1061
Norton, Eleanor Holmes, D.C., E1063
Quigley, Mike, Ill., E1063
Slaughter, Louise McIntosh, N.Y., E1062
Smith, Jason T., Mo., E1064
Visclosky, Peter J., Ind., E1061
Wolf, Frank R., Va., E1064

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office, at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.