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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Compassionate and merciful God, we give You thanks for giving us another day.

As this House comes together at the end of a busy week, bless the work of its Members. May their legislative actions bring about positive results which redound to the benefit of all citizens of our Nation.

As the Members return to their home districts, fill their hearts with charity, their minds with energy, their wills with courage to listen well and reflect back, with the expertise and knowledge they possess, greater insight for American voters.

The work that they have is difficult work. May they rise together to accomplish what is best for our great Nation, and indeed for all the world.

May all that is done in the days to come be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

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

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

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

Mr. GOSAR. Mr. Speaker, I object to the vote on the ground that a quorum

is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Illinois (Ms. KELLY) come forward and lead the House in the Pledge of Allegiance.

Ms. KELLY of Illinois led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 5 requests for 1-minute speeches on each side of the aisle.

MY POSSIBILITIES

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, today I proudly recognize the fifth anniversary and expansion of My Possibilities, a nonprofit organization serving disabled young adults in north Texas.

My Possibilities began with the vision of three dedicated mothers of special needs children. These mothers dreamed of something more for their kids beyond a high school education. After 2 years of hard work, they created the first full-day, full-year continuing education program for disabled Texans. In fact, last week, they commemorated the grand opening of a new facility in Plano so even more Texans could become lifelong learners.

My Possibilities stands as a testament to the American spirit of freedom and free enterprise. Three moms took an idea to fill a need in our community and made it a reality. That's truly remarkable. The folks at My Possibilities live up to their motto: "Make every moment count."

To the staff, board of directors, and Chairman Charmaine Solomon, thank you for your tireless efforts and your dedication.

STOP GUN VIOLENCE

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

Ms. KELLY of Illinois. Mr. Speaker, I rise today, as I have before, on behalf of the many families victimized daily by the persistent gun violence in their communities.

As a Nation, we shudder at tragedies like the Newtown shootings. The news coverage of Newtown left a mark on our collective conscience. Yet sadly, every day, equally devastating acts of gun violence occur in urban America, often without the same media coverage.

Since Newtown, over 6,000 Americans have lost their lives to gun violence. Still, Congress has yet to act on commonsense gun reforms that would save lives. Every life lost, regardless of ZIP code, is a tragedy. It's easy to get angry and frustrated over the relentless drumbeat of death in urban America, but instead we need to turn our anger and frustration into action.

In my 3 months in Congress, I've introduced three commonsense gun bills that will help make our communities safer. Though Federal legislation alone cannot solve the gun violence epidemic, it is a strong start and a step in the right direction.

So I urge my colleagues to cosponsor these bills and take a stand with me against gun violence.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H5053

ATTORNEY GENERAL HOLDER
ACCOUNTABILITY

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

Mr. GOSAR. Mr. Speaker, I rise today to shed light on Attorney General Eric Holder's less than glamorous tenure as Attorney General.

As the chief law enforcement officer of our Nation, Mr. Holder is expected to govern by the principle of seeking justice. As a sworn Federal official, he has one primary job: to enforce the laws of the United States fairly and impartially. It is for that reason that Lady Justice wears a blindfold. The blindfold represents objectivity and that justice should be dealt out without fear, favor, or impartiality.

How come Mr. Holder dispenses his version of justice impartially? How come the Attorney General overlooked injustices and with disregard for the rule of law?

As Supreme Court Justice Brandeis said:

In a government of laws, the existence of the government will be imperiled if it fails to observe the law scrupulously. If government becomes a lawbreaker, it breeds contempt for law: it invites every man to become a law unto himself. It invites anarchy.

I ask you then, has the Attorney General invited anarchy?

I will continue to make my case here in the people's House at the people's pulpit. Folks, I will be back.

NATIONAL NIGHT OUT

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

Mr. McNERNEY. Mr. Speaker, I rise today to acknowledge the 30th anniversary of National Night Out. "America's Night Out Against Crime" began those 30 years ago to encourage community-based crime prevention.

I've participated in many National Night Out events throughout my district over the years, meeting people who are committed to reducing crime in their neighborhoods and promoting community spirit by building relationships with their local civic leaders and law enforcement officials.

This year, I look forward to celebrating National Night Out in Stockton, California, a city in my district. National Night Out has made a difference in my district by bringing people together and making them more aware of how to keep their neighborhoods safe.

National Night Out has grown to over 37 million Americans participating in 15,000 communities across North America. National Night Out illustrates how partnerships between community members and local law enforcement can prevent crime. I encourage my colleagues to participate in National Night Out events in their own districts.

PIONEER DAY

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

Mr. STEWART. Mr. Speaker, like you, as a fellow Utahn, this week my heart is back in my district and my State as we celebrate our great pioneer heritage.

On July 24, 1847, Brigham Young stood over the great Salt Lake Valley, which was nothing but a desert, devoid of any green meadows, and uttered those famous words, "This is the place."

After traveling more than 1,300 miles crossing the Great Plains and the Rocky Mountains, the pioneers settled to begin a new life. Throughout this, they suffered great hardships: hunger, fatigue, cold, disease, and exhaustion. During their journeys, they quickly called Utah home as they reached this great valley, where they planted their crops and went to work building beautiful communities that grew into the wonderful city and State that we now know.

Our State has much to be proud of. We have the greatest snow on Earth. Our National Parks are truly magnificent. Our State is consistently rated among the top in job creation, education, and quality of life. Utah truly has some of the most honest, hard-working, and friendly people in the country.

Pioneer Day is celebrated to honor everyone who immigrated west to Utah during this pioneer era and who aided in creating this great State, which I'm proud to call my home.

KEEP COLLEGE AFFORDABLE

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

Mr. GARCIA. Mr. Speaker, just last week, I had the privilege of speaking to students who attend Florida International University in my district. These students included Democrats, Republicans, and Independents. But their message was clear: it is time for Congress to help keep college affordable.

That is why I have supported efforts to prevent and reverse the doubling of the Federal student loan rates that took effect on July 1. This issue is too important for us to delay any further.

I was very encouraged that the Senate yesterday passed a strong bipartisan compromise bill to lower these rates. I urge the House leadership, Mr. Speaker, to bring this bill to the floor and keep college rates affordable for our Nation's students.

RELEASE SAEED ABEDINI

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

Mr. FRANKS of Arizona. Mr. Speaker, it is my privilege to cochair the

International Religious Freedom Caucus here in the Congress. In that capacity, it's also my privilege to participate in the Defending Freedoms Project, a bipartisan effort for Members of Congress to adopt a prisoner of conscience.

My office has adopted Saeed Abedini, a Christian pastor and an American citizen from Idaho who is currently imprisoned in Iran for his faith. Iran's tyrannical attempts to, in the words of Ronald Reagan, "stifle the freedom and muzzle the self-expression of the people" were again exposed to the world after the imprisonment of Pastor Abedini, who was sentenced to 8 years in prison while working to build an orphanage in Iran.

Mr. Speaker, Martin Luther King said:

Injustice anywhere is a threat to justice everywhere.

Pastor Abedini's case is a demonstration to the world of the far-reaching implications of even a single instance of human rights abuse.

I would call again upon Iran to immediately release Pastor Abedini so he can return to Idaho to be with his family.

PRISON RAPE ELIMINATION ACT

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

Mr. SCOTT of Virginia. Mr. Speaker, 10 years ago today, this body unanimously passed PREA, the Prison Rape Elimination Act, which my colleague from Virginia, FRANK WOLF, and I sponsored.

PREA is designed to end sexual violence in our Nation's prisons. One focus of PREA is on reducing assaults on children in our criminal justice system. Youthful inmates are more likely than their adult counterparts to be victimized by prison staff and adult inmates. Under PREA, no youth under 18 years of age can be placed in a housing unit where contact with adult inmates may occur.

Furthermore, children in adult jails and prison are often placed in solitary confinement for their own protection, which turns out to be detrimental to their mental health. Due to this type of confinement and exposure to abuse, youth have the highest rates of suicide amongst all inmates. PREA urges agencies to avoid subjecting children to solitary confinement.

Mr. Speaker, I call on the Department of Justice to redouble its efforts to ensure that every State implements PREA to protect all inmates from sexual violence. The type of sexual violence that has plagued our prisons and jails is cruel and unusual punishment and should not be part of an inmate's prison term.

NO SUBSIDIES WITHOUT
VERIFICATION ACT

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

Mrs. BLACK. Mr. Speaker, over the July 4th holiday, the Obama administration updated the Federal Register. And buried in more than 600 pages of new regulations was a controversial decision to delay verification of eligibility for ObamaCare's subsidies and instead use the honor system, which more accurately should be described as an open invitation for fraud and abuse.

In a desperate attempt to try to save the President's failing health care law, the administration is willing to give out billions of dollars in fraudulent payments, racking up even more debt for current and future generations. This is indefensible.

That is why I have introduced H.R. 2775, the No Subsidies Without Verification Act. My bill would stop this irresponsible action by requiring verification systems be put in place before any subsidy is paid with taxpayer money.

I urge my colleagues to join me in this fight and support H.R. 2775.

□ 0915

SAFE CLIMATE CAUCUS

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

Mr. WAXMAN. Mr. Speaker and my colleagues, every day a member of the Safe Climate Caucus has come to the floor to raise concern about climate change, and we know about climate change from hurricanes and tornadoes and droughts and all of the other things that we're seeing.

But yesterday, the prestigious science journal, *Nature*, published an analysis of the cost of the rapid warming in the Arctic. That analysis found that the cost could range from \$10 trillion to over \$200 trillion. The mean cost is \$60 trillion. I'm not misspeaking. It's not \$60 million, it's not \$60 billion, but it's \$60 trillion.

These enormous costs are the consequence of the release of 50 gigatons of methane now trapped in the Arctic ice shelves, which experts believe will be released into the air within the next 50 years, if not sooner, if we don't stop spewing carbon pollution into our atmosphere.

The Arctic is pivotal to the functioning of the Earth's systems, such as the oceans and the climate, but we're recklessly endangering it. We need to stop acting like members of the Flat Earth Society and start listening to the urgent warnings of the scientists.

RE-REFERRAL OF H.R. 2315, PRESERVING ACCESS TO ORPHAN DRUGS ACT OF 2013

Mr. SHIMKUS. Madam Speaker, I ask unanimous consent that H.R. 2315,

Preserving Access to Orphan Drugs Act of 2013, be re-referred to the Committee on Ways and Means and, in addition, to the Committee on Energy and Commerce.

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

There was no objection.

COAL RESIDUALS REUSE AND
MANAGEMENT ACT OF 2013

The SPEAKER pro tempore. Pursuant to House Resolution 315 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2218.

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

□ 0917

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2218) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, with Mr. BISHOP of Utah in the chair.

The Clerk read the title of the bill.

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

The gentleman from Illinois (Mr. SHIMKUS) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

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

Mr. Chairman, we have spent much time talking about the need for Congress to consider jobs legislation. This is a piece of pro-jobs legislation. This bill is unique because it is also a pro-states' rights legislation and pro-environment legislation.

But focusing on jobs for a minute, let me explain why a "no" vote is anti-jobs, placing anywhere from 39,000 to 316,000 jobs at risk at a time when we can least afford it.

We are here because over 3 years ago the EPA put out three proposals on coal ash, including regulating coal ash as a hazardous waste. This caused massive uncertainty in the marketplace and created an unnecessary stigma on legitimate recycling of this product, and I have a piece of shingle that's made and produced by coal ash.

And the States agree. As highlighted in a letter from the State of Michigan in support of H.R. 2218:

Enactment would end the regulatory uncertainty that has hindered our efforts to promote the beneficial use of coal combustion residuals.

EPA announced in litigation proceedings recently that it will not have

a final coal ash rule before 2014. The fact that EPA continues to leave a "hazardous waste" designation on the table even though three decades of science and fact point the other way, that coal ash is not hazardous, it directly is contributing to the loss of current and future recycling.

Coal ash is not an abstract substance. It is used in important infrastructure in this country. The American Coal Ash Association informed us that uncertainty in the marketplace caused by EPA's proposal to regulate coal ash as hazardous waste is diminishing their economic prospects down to just 40 percent of eligible coal wastes—and they support this bill.

This bill establishes a solid framework for regulation of coal combustion residuals in a manner that is protective of human health and the environment, or the State environmental regulators—including the Environmental Council of States, ECOS, and the Association of State and Territorial Solid Waste Management officials—would not be endorsing this bill.

Coal ash makes concrete stronger, more durable, and cheaper. A "no" vote against this bill means that you support less durable, more expensive highways, schools, and green buildings. Don't take my word for it. The American Road and Transportation Builders Association and many other road and bridge builders, and also the Building and Construction Trades Union, want this bill because they want high-quality construction material for buildings, roads, and bridges.

For Members concerned about wall board from China, coal ash is a stable, domestic source for wall board and will control costs. Don't take my word for it. The American Forest and Paper Association supports this bill.

Mine workers across this country need a stable way of having America's energy future secured. This bill accomplishes that. Don't take my word for it. Ask the United Mine Workers, who supports this bill.

Coal ash is recycled and used as a raw material in making cement. Voting "no" means you choose to put coal ash in landfills rather than putting it back into roads and building projects. Don't take my word for it. Organizations like Portland Cement Association, the Phoenix Cement Company, the Wisconsin Ready Mix Concrete Association, and the Washington Aggregates and Concrete Association all support this bill.

A vote against this bill is a vote for prolonged regulatory uncertainty. A vote against this bill is a vote to increase costs on the Federal, State, and local governments and infrastructures. A vote against this bill is a vote to increase costs on all Americans and to dare unemployment to go even higher. A vote against this bill is a direct message to career State employees in States across this country that you do not trust them to do the right thing regarding regulation of coal ash.

This bill is a pro-jobs, pro-environment, anti-bureaucracy bill. If you want progress instead of process, protection instead of politics, and jobs instead of continued uncertainty, vote for this bill.

We find ourselves in this morass of regulatory uncertainty because of the existing approach to environmental regulation. This bill presents a new approach that will reduce the inefficiencies of the Federal rulemaking process by setting a national standard in the statute and charging the States with implementation.

If you support protecting jobs and preserving states' rights, and if you trust your State environmental regulators to protect your communities, you need to support this bill and vote "yes" on final passage.

With this, Mr. Chairman, I reserve the balance of my time.

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

Today, the House is considering legislation to block EPA from acting to ensure that toxic coal ash is safely disposed of. Coal ash is the result of the coal that has been burned, and this coal ash needs to be disposed of.

Now, what the Republicans who are suggesting this bill be adopted are suggesting is that we remove public health protections in order to allow polluting disposal sites to continue with business as usual. That's a little tough to justify. As we led up to today's debate, we've heard some outlandish justifications, and I just want to set the record straight.

First of all, we've been told this is a states' rights bill because we need this legislation in order for the States to impose adequate regulation on dangerous coal ash disposal sites. Well, that's not true. The States can regulate coal ash disposal today and, in fact, many do. The problem is that many States are not doing a good job.

For example, in Ohio, four coal ash disposal sites have serious groundwater contamination problems. The coal ash at these sites has contaminated groundwater with arsenic, mercury, and radioactive levels of materials higher than allowed under the Safe Drinking Water Act. Well, in total, EPA has identified 133 cases of groundwater and surface water contamination at coal ash disposal sites. All of this has occurred under existing law, where State laws can be effective and States can act. The problem is they're not all acting.

Secondly, the proponents of this bill have argued that we have to pass this legislation to allow coal ash to be recycled. They argue that EPA wants to designate coal ash as "hazardous." Well, that isn't what EPA proposed at all.

They say that this designation would be a stigma on coal ash and would ensure there would no longer be any market for recycled coal ash, but that argument is just plain wrong. Hazardous labeling and restrictions on beneficial reuse are simply not at issue.

When EPA issued its proposed coal ash rule, the agency offered a couple of alternatives. Neither of these proposals would involve labeling coal ash as "hazardous." Quite frankly, even if it were designated "hazardous," that doesn't mean it can't be reused. It can be reused.

Third, we've been told that we must pass this legislation because it's a careful compromise from the version of the last Congress. Well, I'm not sure who was in that compromise because the bill is even worse than the bill from the last Congress. The Republicans have refused to work with the Democrats on the committee. There's no bipartisan coal ash bill in the Senate. And the administration has identified five problems with the bill that cause it to fall short of protecting human health and the environment.

Let's focus on reality. This debate is not about a "war on coal" or putting a stigma on coal ash. It's not about whether State governments are inherently better than the Federal Government. It's not about job-killing regulations. This debate is about whether or not we're going to allow coal ash disposal sites to contaminate our water supplies and threaten human health.

If this bill is enacted, coal ash disposal sites will continue to pollute our groundwater; and once contamination is confirmed, well, this bill would allow it to continue for another 10 years—and do nothing. Then, after that, they might even continue it for another indefinite period of time. So it will continue to pollute groundwater, the water we drink, and our water supplies and our water sources.

This bill says that a dump site that is contaminating groundwater today can pollute for 10 years—more arsenic, more mercury, more lead. Is that what Members of the House want to vote for? If the owners of the polluting structure can't control their contamination within 10 years, this bill says States can give them even more time to keep polluting.

New information released yesterday reveals that three-quarters of existing unlined coal ash impoundments do not have the space at their existing location to construct an additional disposal facility. Those facts practically guarantee that if this legislation were to be enacted, communities across the country—many of them poor and minority—will simply have to endure contaminated water, polluted air, and the risk of catastrophic dam failure. And why? For states' rights, where the States already have the rights? It's really for polluter rights. And polluters do not have and should not have a right to pollute our water supplies.

This can be handled effectively through a serious piece of legislation that will make clear that public health protection must be enforced.

I urge my colleagues to tune out the special interest misinformation that seeks to weaken our laws and prolong pollution, and oppose this legislation.

No matter how you voted in the last Congress, this bill is worse; and I urge Members to vote against it today.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I would ask my colleague to look at the 11 additional changes that have been made in this bill versus the last bill and realize how much we have moved in the direction that he speaks of.

I now yield 7 minutes to the author of the legislation from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chairman, I rise today in support of H.R. 2218.

For 33 years, Congress has wrestled unproductively with how to deal with coal ash, an unavoidable byproduct of burning coal.

□ 0930

After countless hearings, meetings, and amendments, we come here today with a solution. Over the past 2½ years, we've listened to environmental organizations, industry, Senators, the States, the EPA.

Now the bill has strong bipartisan support with Democrat cosponsors and a broad coalition of over 300 organizations and businesses, including State environmental officials, Governors, recyclers, manufacturers, coal miners, coal operators, and labor unions, just to name a few.

If we don't act decisively, Congress will once again kick the can down the road. That would mean the status quo continues.

At the Energy and Commerce subcommittee hearing on the draft legislation earlier this year, EPA Assistant Administrator Mathy Stanislaus testified that States have the ability to ensure proper management disposal of coal ash under this legislation. At that hearing, my good friend from Illinois, Mr. SHIMKUS, asked Mr. Stanislaus if the EPA was not opposed to this language in the bill. Stanislaus' response was, "That is right."

Even the President has become engaged in this debate. The statement from the administration this past week noted they appreciate the efforts of the House and issued no veto threat; no opposition was expressed. That ought to tell you something.

The opponents of this legislation should read the last sentence of the administration's statement:

The administration would like to work with Congress . . . to allow for development, implementation, and enforcement of appropriate standards for managing coal combustion residuals, while encouraging the beneficial use of this economically important material.

Let me show you what we are talking about here. This is a jar of fly ash. Every day, coal ash is produced in 48 of our 50 States across America. This is a national issue, not just one for coal States. Over 140 million tons of coal ash are produced annually. Approximately 40 percent of the material is recycled into everyday products used in households and the construction industry. The remaining 60 percent is disposed of in landfills.

Now, 2218 deals separately with both of these issues. The first part deals with recycling. Early in the Obama administration, the EPA proposed a rule to declare coal ash as a hazardous material, despite the fact that under the Bill Clinton administration the EPA had already determined in 1993 and 2000 that coal ash was not hazardous. Let me repeat that. They've already said it's not hazardous.

No industrialized nation in the world classifies fly ash as a hazardous material. Deeming it such would essentially destroy the ability to recycle coal ash, dramatically increase the cost of electricity, and crush hundreds of thousands of jobs across America.

The United States already has a much lower rate of recycling than other countries. Europe recycles over 90 percent of the fly ash; China over 65; and Japan, 95 percent of their coal ash is recycled. We should be encouraging recycling, not standing in the way.

The second part of the bill deals with processes for disposing of coal ash that is not recycled. This section has been significantly strengthened and provides for all new and existing landfills to be State-run, using the Federal law known as RCRA, which incorporates Federal standards and requirements for protecting "human health and the environment."

RCRA's primary goals are to "protect human health and the environment, to reduce the amount of waste generated, and to ensure that wastes are managed in an environmentally sound manner."

Consequently, under his bill, disposal requirements will require "composite liners, air quality and dust controls, groundwater protection standards, emergency action plans, corrective actions for deficiencies, inspections and structural stability."

Let me make it clear. If a landfill ever becomes deficient, it must be fixed—no ifs, ands, or buts. It is just that simple.

For example, under the corrective action under section 4011, subsection (C)(2)(b):

An owner/operator of a deficient facility is not relieved of their obligation to develop alternative disposal capability regardless of whether they have space available onsite.

For anyone to argue otherwise, perhaps they haven't read the bill.

For the first time, there will be a uniform, national standard for disposal. Or Congress can do nothing—it can—just as it has been for the last 33 years. But I don't think we should continue with the status quo. Working in this bipartisan fashion we've made progress.

After 30 years of debate, it is time for action. Our constituents deserve protection for their health and environment. This legislation makes it possible.

We often hear Congress isn't voting on a jobs bill. Mr. Chairman, there is not a clear jobs bill that we are going to deal with in this Congress pro-

tecting 316,000 jobs across America and preventing utility bills to increase. We must protect these jobs.

I encourage all my colleagues on both sides of the aisle to support this pro-health, pro-environment, and pro-jobs legislation.

Mr. WAXMAN. Mr. Chairman, the administration and I would like to work out a bill with the Republicans, but this bill has two problems. After all is said and done, there is no requirement that they protect public health and the environment. There's all sorts of language that says we want them to. But if the States don't do that, the second problem is there's no enforcement; there's nothing to make them do it.

Now, if you have no real clear standard to protect public health and no enforcement to make sure public health is being protected, that's a bill that's asking for continuation of pollution of our groundwater supplies.

We can work together and get a bill, but this administration has said it does not adequately protect public health and the environment; it doesn't address the real problems. Even some of the changes that they have made have made this bill worse. It is a bill that we should reject and then go back to the negotiating table.

Mr. Chairman, at this point, I wish to yield 5 minutes to the ranking member of the subcommittee on the Energy and Commerce Committee, the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. I want to thank the gentleman for yielding.

Mr. Chairman, here we go again with the Republicans spewing their shamelessly empty rhetoric concerning jobs. Jobs for the American people might be on their minds, jobs for the American people might be in their mouths, but jobs for the American people are not in their hearts.

Mr. Chairman, my colleagues on the other side of the aisle are arguing that we need to weaken our environmental laws to create jobs. That's incredibly shortsighted. Do we really want to say to the American people that they must suffer contaminated groundwater, drink dirty water? Is that what we are saying?

A study from Tufts University shows just the opposite. It's not a fight between jobs and clean environment, clean water, clean drinking water. The Tufts study says that we can create tens of thousands of new jobs by requiring safe disposal of coal ash.

Ensuring that coal ash disposal sites protect human health and the environment will take work, will create jobs. It will take construction workers, equipment operators, and engineers to do this work. Let me add that this is not just makeshift work. These jobs will provide tremendous benefits to the communities in which they take place. But these jobs won't happen if we pass this atrocious bill. This bill simply preserves the status quo and keeps Americans out of work.

Mr. Chairman, when it comes to protecting the public health and ensuring

that all Americans have unhindered access to clean air, land, and water, I am very sensitive to the issue of ensuring that there are, at the very least, minimum State or Federal standards and that the U.S. EPA has the full authority to enforce those standards.

Mr. Chairman, due to a case in my district of Crestwood, Illinois, where contaminated drinking water was piped into the homes of my constituents for over 20 years between 1986 and 2007 and the State of Illinois refused to intervene, I cannot support legislation that bars the U.S. EPA from enforcing State or Federal standards, as this atrocious, shameful bill does.

Mr. Chairman, states' rights might mean States' inaction, as in the case of Crestwood, Illinois, where it was only the determined, courageous act of a citizen by the name of Tricia Krause, who had the courage to alert the media to this shameful act being committed by elected officials, those responsible for taking care of the public health and ensuring that the environment was safe and the water that in the morning and the evening during the day that they drank was safe. These officials, these local officials, had that responsibility, and they turned their backs on the people of the village of Crestwood.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. Mr. Chairman, I yield the gentleman an additional minute.

Mr. RUSH. Not only did they turn their backs, but the Illinois EPA, the State EPA, refused to even investigate this matter. I had to get the U.S. Justice Department and the U.S. EPA to end this atrocity.

If this bill is ever enacted, it will bar the Federal Government, at the very least, from serving as the last backstop for the American people against polluters who would seek to skirt the law without regard to the families and communities that they would harm.

Mr. Chairman, I ask that the people who are Members of this Congress who have a heart and a mind to not only put the American people back to work, but also to protect the environment, to resist this effort and vote "no" on this bill.

Mr. SHIMKUS. Mr. Chairman, I remind my colleagues that the administration has not issued a veto threat on this bill.

I now yield 2 minutes to the gentleman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, I thank the gentleman from West Virginia for his outstanding work on this legislation, and also to Mr. SHIMKUS, who is the chairman of the subcommittee, for his leadership on the issue.

I do rise today in support of the Coal Residuals Reuse and Management Act of 2013. I am an original cosponsor on that legislation.

Now, I think it comes as no surprise to anybody that this administration has declared their war on coal. You can

listen to the comments that are coming out of the President and his advisers there at the White House. They've done everything in their power to shut down coal plants and to put American coal miners on the unemployment line.

The EPA has targeted everything from existing coal-fired plants to new plants, coal mining operations, and has been looking at labeling coal ash as a hazardous waste since 2010.

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Now, unbeknownst to so many individuals and to so many of my constituents is the fact that the same coal ash that has been used safely to make—and get this—bricks, cement, asphalt, plastics, and is used as a filler in wood products is, all of a sudden, a hazardous waste.

I would like the administration to explain to me if coal ash were a hazardous waste when they used TARP funding for shovel-ready projects to repair roads with asphalt containing—guess what—coal ash.

Was coal ash a hazardous waste last winter when it was used in snow and ice control products to keep roads and pedestrians in Chicago safe? Or was coal ash a hazardous waste when it was used to build the EPA's new headquarters?

While I am sure most of my constituents would like to label the EPA's headquarters as a Superfund site, I would say let's support this bill.

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

Mr. Chairman, if coal ash is reused, it is not a hazardous waste. If it is stored and leaks into our groundwater or into our drinking water, it can be very hazardous.

The problem with the Republican bill is that it doesn't clearly state that public health must be protected, and when they state it, there is no clear enforcement. The EPA cannot be sure that the job is being done, and even citizens cannot file lawsuits to require it to be done. This is a special interest bill that does not serve the interests of the American people.

I now yield 5 minutes to the gentleman who is the ranking member of one of our energy subcommittees, the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman from California.

Mr. Chair, once again, the House will consider a bill that will provide the States with what they already have—the authority to regulate the disposal of coal ash.

H.R. 2218 also virtually eliminates any regulatory role for the Environmental Protection Agency. Although the bill's title suggests that it is about the beneficial reuse of coal combustion residuals, it has little, if anything, to do with promulgating that worthy goal.

No one has disputed that it is preferable to reduce the amount of coal ash that ends up in disposal facilities. It saves money and lengthens the produc-

tive life of that disposal facility, and it means that a waste product is put to productive use in cement, in wallboard and in other products. All of those things happen now, and they will happen whether this bill passes or not. Actually, if the bill encouraged stronger standards for disposal, it would likely spur increased recycling—another opportunity squandered, in my opinion.

So, if it is not about recycling, what is this bill about?

It is about maintaining the status quo. The bill virtually ensures that deficient facilities will, indeed, remain deficient.

What does that mean?

It means that communities in States with weak programs and lax enforcement remain at risk.

This bill does not set credible standards to ensure that public health and the environment are protected. Communities whose groundwater sources are known today to be contaminated by toxins leaching from unlined disposal ponds will have to wait at least 10 years before a State would have to act, and even then there are provisions for granting additional time for an operator to upgrade or repair a leaking facility. We know from recent experience that some of these facilities are structurally unsound. A breach in the dam in Kingston, Tennessee, in 2008, in eastern Wisconsin in 2011, and in Martins Creek, Pennsylvania, in 2005 all sent coal ash spilling out into waterways and onto the land.

H.R. 2218 is not going to help us avoid adding accidents to this list. Very similar bills to this one passed the House several times in the last Congress. They failed to become law, and H.R. 2218, in my opinion, is going to follow that same path.

Communities living in the shadows of these facilities deserve to be protected. There is no reason to allow deficient facilities to pollute our water and our air and to jeopardize the health of people in communities across this great Nation. We can do better. We should do better. My colleagues and I will offer several amendments this morning that, if adopted, would improve this bill. A better legislative effort could resolve the uncertainty surrounding this issue and, more importantly, could ensure that our citizens' health and safety are protected.

We cannot afford more Kingstons. We do not have to. Without improvements, this legislation will proceed no further in the legislative process. Without improvements, it should not proceed any further. I oppose H.R. 2218 in its present form, and I encourage my colleagues to do the same.

Mr. SHIMKUS. Mr. Chairman, let me remind my colleagues of some of the special interests: United Mine Workers of America, Building and Construction Trades, and the Transportation Workers of America.

I yield 2 minutes to the chairman of the full committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Thank you, Mr. Chairman.

I rise today in strong support of H.R. 2218, the Coal Residuals Reuse and Management Act, an important and bipartisan jobs bill.

Mr. Chairman, today's vote is the culmination of over a 2-year pursuit of a thoughtful, sensible and transparent solution to a serious regulatory challenge; and while the coal ash bill has continued to improve since we first debated and passed the legislation back in 2011, we have stayed true to our original principles.

First, the bill sets out strict standards for coal ash management, but it leaves the permitting program to the States. This approach is important because it ensures consistent environmental protection but gives the day-to-day implementation to the States, which have the combination of expertise and dedication to get the job done right for their States.

Second, it takes EPA's 3-year-old proposal to regulate coal ash as a hazardous waste off the table. When EPA first published this proposal, it knew that it had overreached, but EPA faced a very tough dilemma. It wanted a permit program for coal ash, but, in fact, the Solid Waste Disposal Act did not give EPA the authority over coal ash unless it were labeled "hazardous." This legislation offers a solution.

The administration has stopped asking for the "hazardous" designation—and good thing. Beginning this year, EPA stopped seeking that the Agency, instead of the States, do the permitting. The administration has come a long way, and we certainly commend it for that, but, meanwhile, we've been listening to and working with EPA.

On April 11 of this year, EPA testified before our committee. By moving past the notion that EPA should write regulations for each State, the administration finally acknowledged that the States are in the best position to implement coal ash permit programs. After our hearing, we had additional meetings with EPA to discuss the bill, and we ultimately made changes that EPA recommended, including adding tough deadlines for State action.

The CHAIR. The time of the gentleman has expired.

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

Mr. UPTON. This is how the legislative process is supposed to work. The bill reflects crucial input over the last 2 years from House and Senate Republicans, Democrats and the administration.

The time has come to put our pencils down and enact this law so that we can close the regulatory gap. States, utilities, and hundreds of thousands of workers in the recycling industry have been waiting in limbo for a resolution. This bill meets those needs, and I urge a "yes" vote.

Mr. WAXMAN. Mr. Chairman, may I inquire as to how much time is left on both sides.

The CHAIR. The gentleman from California has 13 minutes remaining. The gentleman from Illinois has 15½ minutes remaining.

Mr. WAXMAN. I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to a member who has been very helpful on this legislation, the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. I thank the chairman for yielding.

I rise today, Mr. Chairman, in support of the Coal Residuals Reuse and Management Act.

Designating coal ash as a hazardous waste, which the EPA proposed in June 2010, would not only raise energy prices for families and businesses, but it would also destroy a large coal ash recycling industry and all of the jobs that go with it. H.R. 2218 will protect these jobs by setting minimum Federal standards that the States will be charged with implementing and by providing regulatory certainty that has ceased to exist within the coal ash industry since 2009.

If this legislation is not signed into law, the EPA will overturn 30 years of precedent and designate coal ash a hazardous waste despite findings from the Department of Energy, the Federal Highway Administration, State regulatory authorities, and the EPA itself, that the toxicity levels in coal ash are well below the criteria that require a "hazardous waste" designation. In fact, in the EPA's May 2000 regulatory determination, the EPA concluded that coal ash does not warrant regulation as a hazardous waste and that doing so would be environmentally counterproductive.

It is estimated that meeting the regulatory disposal requirements under the EPA's proposal would cost between \$250 and \$450 per ton as opposed to about \$100 per ton under the current system. In 2008, 136 million tons of coal ash were generated. That means not passing this bill could put an additional \$20- to \$47 billion burden on the electricity generators that use coal.

Energy costs aside, about 45 percent of the coal ash generated is recycled, being used as an additive in cement, concrete, wallboard, roofing materials, road-based fill materials, and snow and ice control. Designating coal ash as a hazardous waste could halt these beneficial uses, which the EPA estimates will lead to \$16.7 billion in increased costs per year.

It will provide certainty in the coal ash industry, and it strikes the appropriate balance of strong environmental protection without all of the economic consequences of a "hazardous waste" designation. I urge support of the legislation.

Mr. WAXMAN. Mr. Chairman, I yield 2 minutes to a very distinguished member of our committee, the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. I would like to thank the ranking member for allowing me time.

Mr. Chairman, I rise to express my strong support for H.R. 2218, the Coal Residuals Reuse and Management Act.

Last Congress, this Chamber twice passed legislation on a bipartisan basis that was weaker than the bill before us today. Last Congress, the effort resulted in legislation that would create a State-run waste disposal program with minimal Federal requirements while assuring that coal ash can continue to be reused and recycled in everyday products.

The legislation before the House today continues that model but with even greater environmental protections, including: accelerated requirements for groundwater monitoring; fixed deadlines for when problems at an impoundment must be cured; and periodic inspections for the structural integrity of impoundments.

Currently, there is a patchwork of State programs to regulate the disposal of coal combustion waste with no Federal oversight.

H.R. 2218 would for the first time establish comprehensive, minimum Federal standards for coal ash management and disposal and give EPA the authority to enforce compliance if a State does not establish a coal residuals permit program or if a State's program does not conform to Federal requirements.

This legislation would assure that coal ash can continue to be reused beneficially, which puts billions of dollars in our economy annually and protects tens of thousands of jobs in the beneficial reuse industry. Encouraging the beneficial reuse of coal ash ensures that less of it ends up in landfills, which is good for the environment and good for our economy.

I know some Members have concerns about the legislation, but we have worked diligently with the majority and stakeholders to make improvements in the bill. The assertions by some of my colleagues that this legislation does nothing to protect the environment are making the perfect the enemy of the good. Part of legislating is moving the ball forward, and we cannot continue to work on legislation that simply will die in the Senate. This bill is a reasonable compromise and a win-win for the American people, as it will help protect the environment and create jobs. I urge my colleagues to support it.

Mr. WAXMAN. Mr. Chairman, before I yield back my time, I want to point out to my colleagues that this bill will not make it into law. The Senate will not accept it, and the President will not support it in its present form because it doesn't protect public health.

Coal ash contains arsenic, barium, cadmium, lead, mercury, hexavalent chromium, and other toxic materials. It's a threat, not when the coal ash is used for other purposes, but when it's in a disposal site and leaks into our drinking water, and that's what this issue is all about.

I reserve the balance of my time.

Mr. SHIMKUS. I want to thank my colleague from Texas, who has helped us move the bill forward.

I would remind my colleagues that the President has not issued a veto signal on this piece of legislation.

Mr. Chairman, I now yield 2 minutes to my friend and colleague from Florida (Mr. BILIRAKIS).

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Mr. BILIRAKIS. Mr. Chairman, I rise today to express my support for the Coal Residuals Reuse and Management Act.

I want to thank Mr. MCKINLEY and his staff for their hard work on this very important issue.

This commonsense legislation will empower States to safely regulate coal combustion products by fixed standards without overwhelming State budgets or customers' wallets. The recycling and reuse of coal combustion products has great economic and environmental benefits—creating jobs, reducing emissions, extending the life and durability of the Nation's roads and bridges, and reducing deposits in landfills and surface impoundments.

This legislation will provide the certainty States, utilities, and businesses depend on, all while giving the EPA the authority to protect the public should a State fail to enforce these strong standards.

I urge my colleagues to support this important legislation.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BUCSHON), a neighbor to my congressional district.

Mr. BUCSHON. Mr. Chairman, I rise today in support of this legislation.

Every single coal mine in the State of Indiana is in my congressional district. Coal not only provides thousands of jobs for Hoosiers, but provides over 90 percent of our State's energy. Coal is a vital part of Indiana's economy, helping to keep energy prices low and supporting a robust manufacturing sector.

I disagree with the EPA's position that coal ash should be treated as a hazardous material. Coal ash has been used in all kinds of other materials like concrete and has been proven safe when used correctly and when stored correctly. In fact, the EPA's own studies, as has also been mentioned, in 1993 and 2000 have stated that coal ash is not a hazardous material. This legislation allows States to establish their own regulations for managing coal ash as long as it meets minimum Federal standards.

Coal is necessary for an all-of-the-above energy plan and is vital to our Nation's energy production that sustains good-paying jobs, and I urge all of my colleagues to support this legislation.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, the Indiana Department of Environmental Management wrote a letter in support of this bill and its safety and protection.

Now I yield 2 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I rise in strong support of H.R. 2218.

I heard some comments today about coal ash. Let me be very clear: coal ash maybe at one point was energetic, but the coal ash we're discussing here today is inert. It's a lot like dirt, to be quite honest. As a cochair of the Congressional Cement Caucus, I have the largest cement producing district in America.

The cement and concrete folks, the industry, is by far the Nation's largest recycler of coal combustion residuals, or CCRs or coal ash as it's better known. Each year, more than 11 million tons of coal ash is recycled in the production of concrete. So this is essential to our manufacturing sector. Domestic manufacturers typically reuse an additional 3 million tons of coal ash annually as a raw material in cement production. The coal ash used in the process serves as a substitute for key ingredients in cement, which would otherwise be mined.

Without H.R. 2218, the EPA would be able to classify coal ash as a hazardous material, which in turn would put an end to this very useful recycling. Even the continued regulatory uncertainty generated by the stalled EPA rulemaking would dramatically inhibit the recycling of coal ash in domestic cement and concrete production.

This recycling includes all kinds of infrastructure products, including our roads, bridges, homes, schools, and other critical structures. Coal ash continues to be recycled in a safe and responsible manner. Whatever issues there have been with coal ash, they have largely been related to storage. This bill thoroughly addresses coal ash storage issues, which is really where we should be focused.

Again, H.R. 2218 provides the clarity needed by top recyclers to continue their efforts and to potentially increase coal ash recycling. So, again, I ask my colleagues to support passage of this important piece of legislation that will ensure the beneficial reuse of coal ash. A "yes" vote is the right vote. It is pro-manufacturing. Vote for the legislation.

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

When coal ash is recycled, it is not a waste; and, therefore, EPA has no jurisdiction. It is not a problem. When coal ash is put into a landfill or disposal site and leaches into the water, then it is a problem. This bill doesn't address that problem. It doesn't adequately ensure protection of the public health; or if they have a law at the State level that seems to talk about public health, there's no clear enforcement of it. That is our problem with the legislation.

Recycling coal ash for any purpose doesn't make it hazardous, doesn't make it toxic. It can be reused, and we want to encourage that. But we don't want public health threatened. That's what our concern is all about.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, to my colleague from California, we're waiting for a few Members. I'm not sure they are going to get here. I'm willing to have you close, and then I'll close after you're finished.

I reserve the balance of my time.

Mr. WAXMAN. Knowing that we want to wrap up this general debate, I yield myself the balance of my time.

I will just repeat that the EPA proposed to act, and that is what has caused this whole furor. Rather than to discuss what is the appropriate balance between the EPA and the States, the Republican bill would take this away from EPA, keep them from regulating, and turn it over to the States, where the States can already act and many have. They don't need us to give them the power to act. This bill says it's up to the States. It doesn't have a uniform standard of protecting public health. It doesn't require States to have the goal of protecting the public health. And if the States achieve the goal in their legislation to protect public health, there's no guarantee of it being enforced because EPA cannot come back in and enforce the State law and citizens cannot file lawsuits. That's one of the so-called "improvements" that has been made since the last time this bill was before us. It has weakened the ability to enforce protection of public health.

So I urge my colleagues to oppose this bill, and in doing so tell us to go back and work on the problem and get a real, true bipartisan bill that can be supported by the majority of the Democrats and by the President of the United States.

I urge Members to vote against the bill, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield myself the balance of my time.

It's been a great debate. It's been a great process. I'll just summarize some of the issues. Yes, the issue is about beneficial reuse, like this shingle here; but it's also about the storage.

We were very close to passing this legislation the last Congress, as the ranking member knows. This bill is better, as my colleague from Texas says. There are 12 additional changes made in this bill versus last year's bill that addresses many of the concerns that the minority asked and also concerns by the Environmental Protection Agency. We worked very closely with them. That is why—and I'll say it again—the administration has not issued a veto threat on this bill. That's a signal that they may have issues, but there's not an outright veto threat on this bill. That's a signal that we've worked with them to address some of the major concerns.

Again, I want to highlight some of the special interest groups that are forcing this legislation, like the United Mine Workers, the building and construction trades, the transportation workers. Those who are historically considered in the minority's coalition are now moving to the pro-job coalition of this bill and hopefully other bills in the future.

I want to reemphasize that the EPA in 1993 and 2000 stated that coal ash does not have the characteristics of hazardous waste, including toxicity, and should not be regulated under subtitle C. That's not us. That's the EPA, and that's the EPA making that ruling twice.

We believe that the Federal Government can set standards. We believe that the Federal Government can enforce that the State do certification, and we trust the States to be able to monitor and meet the standards. That's why I listed in support the Environmental Council of the States and Indiana's Department of Environmental Management, because what they want to do is get a handle on this. And let's not confuse the issue. If the EPA is able to label fly ash as toxic, it does depress the beneficial use. So the cheap concrete that's mixed with fly ash will not be put in. The road mitigation issues which we've done will not be put in. My colleague, MARSHA BLACKBURN, did a great job talking about how we use today coal ash and fly ash.

So I want to thank my colleague, Mr. MCKINLEY, for moving this bill and my colleagues on the subcommittee, who have made the changes and moved it forward. We look forward to the debates on the amendment, and we look forward to passing the bill and sending it to the other Chamber and eventually a signature by the President of the United States.

I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I rise today in strong support of H.R. 2218, the Coal Residuals Reuse and Management Act. This bipartisan legislation accomplishes the safe regulation of coal ash without jeopardizing job growth, raising energy costs, or burdening industry with costly rulemaking.

H.R. 2218 establishes minimum federal requirements for the disposal of coal combustion residuals, which would be enforced by state-based permit programs. Rigid and costly EPA rulemaking will be avoided, tens of thousands of jobs will be saved, and health and environmental concerns will be addressed in a measured, responsible way.

According to a recent nonpartisan study, the Environmental Protection Agency's latest attempt to regulate coal ash as hazardous waste could lead to net job losses of between 184,000 and 316,000. At a time of anemic economic growth, this is unacceptable.

Of course, this most recent push is part of a broader "War on Coal" by the Obama Administration, which adheres to a radical, dogmatic notion of environmentalism at the expense of American jobs. It also proves that the President's claim of an "all of the above" approach to energy policy is an empty promise to the American people.

Like my colleagues, I care deeply about the environment—Wisconsin has some of the most beautiful hills, lakes and farmland in the country. But I also believe we should be mindful of enacting environmental policies that will have an adverse effect on jobs and economic growth. Rather than rely on stale partisan talking points, which result in inflexible, overreaching policy prescriptions, the President should work with businesses and other affected stakeholders to craft workable solutions to climate change.

We owe it to the American people to offer viable alternatives to the President's agenda. The Coal Residuals Reuse and Management Act is a tremendous starting point for a bipartisan discussion on environmental issues. I urge my colleagues on both sides of the aisle to support this commonsense alternative to the President's War on Coal.

Mr. VAN HOLLEN. Mr. Chair, our country has 676 existing coal ash impoundments in 46 States, and an unknown number of "legacy sites" that continue to pose risk to our communities—risk of contaminating the groundwater with arsenic, lead, and mercury or of experiencing catastrophic failure like we saw in the 2008 Kingston disaster. That is why action must be taken to ensure that coal ash is either recycled responsibly or disposed of properly.

However, instead of taking steps to protect the public health and prevent groundwater contamination around storage sites, today's legislation authorizes each State to create its own coal waste management permitting program, with no legal standard to ensure a minimum level of public safety. Moreover, the nonpartisan Congressional Research Service has found that the bill would give EPA "no federal backstop authority" to ensure that States enforce their standards.

Mr. Chair, rather than addressing the real danger of improperly managed coal ash, this bill risks a regulatory race to the bottom, threatening the safety of all of our citizens. I urge a no vote.

Mr. DEFAZIO. Mr. Chair, in December 2008 an impoundment holding disposed ash waste generated by the Tennessee Valley Authority broke open, creating a massive spill in Kingston, TN. The spill covered the surrounding land and Clinch River with one billion gallons of coal ash, displaced residents, and resulted in \$1.2 billion in cleanup costs.

The accident underscored the need for rules to ensure structural stability and safety of coal ash impoundments given that U.S. electric utilities generate 130 million tons of coal ash every year.

In response, the Environmental Protection Agency proposed the first-ever regulations to ensure the safe disposal and management of coal ash from coal-fired power plants under the Nation's primary law for regulating solid waste, the Resource Conservation and Recovery Act, RCRA.

In June 2010, the EPA presented two regulatory options: regulating coal ash as hazardous waste under Subtitle C or regulating coal ash as a non-hazardous waste under Subtitle D. The EPA has not established a deadline for the final rule.

I have serious concerns that designating coal ash as a hazardous material, the result of regulating coal ash under Subtitle C, could have major impacts on the recycling and reuse of coal ash to manufacture wallboard, roofing materials and bricks, and especially concrete.

In 2008 alone, the concrete industry used 15.8 million tons of coal ash in the manufacturing of ready mixed concrete making it the most widely used supplemental cementing material. When combined with cement, coal ash improves the durability, strength, constructability, and economy of concrete.

It also has huge environmental benefits. Using coal ash—an industrial byproduct—in concrete results in longer lasting structures and reduction in the amount of waste materials sent to landfills, raw materials extracted, energy required for production, and air emissions, including carbon dioxide.

A "hazardous" designation of coal ash could put these benefits in jeopardy. It could make coal ash storage and transportation more expensive, and create a legal environment that would deter cement manufacturers from recycling coal ash in cement production.

The result would not only be devastating for the cement manufacturing industry and American jobs, it could also divert millions of tons of coal ash from beneficial uses to surface impoundments like the one that broke open in Kingston, Tennessee.

For these reasons, my preference is for EPA to regulate coal ash under Subtitle D of the Resources Conservation and Recovery Act. This would ensure we have strong regulations for surface impoundments of coal ash needed to protect public health and the environment without inhibiting the recycling and reuse of coal ash.

To ensure EPA gets that message, I supported H.R. 2273 in 2011. The Coal Residuals Reuse and Management Act was not a perfect bill. In fact, this bill could have been much simpler and likely noncontroversial if my Republican colleagues had just legislated Subtitle D of RCRA. It was my hope that the U.S. Senate would take this more targeted approach.

Thankfully, in June of 2013, the EPA published a Federal Register notice indicating a preference for regulating coal ash under subtitle D. I appreciate EPA's willingness to be pragmatic and balance the needs of recyclers to achieve greater environmental protection.

Today we are voting on H.R. 2218, the latest version of the Coal Residuals Reuse and Management Act. While the bill has been marginally improved, I believe it is no longer necessary. Assuming the EPA regulates coal ash under Subtitle D, the recycling and reuse of coal ash will not be jeopardized, eliminating the need for legislation. By voting against H.R. 2218, I am thanking EPA for its pragmatic reconsideration of the June 2010 draft rule and for providing certainty for coal ash recyclers.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2218

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Coal Residuals Reuse and Management Act of 2013".

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Management and disposal of coal combustion residuals.

Sec. 3. 2000 regulatory determination.

Sec. 4. Technical assistance.

Sec. 5. Federal Power Act.

SEC. 2. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

(a) *IN GENERAL.*—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following:

"SEC. 4011. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

"(a) *STATE PERMIT PROGRAMS FOR COAL COMBUSTION RESIDUALS.*—Each State may adopt, implement, and enforce a coal combustion residuals permit program if such State provides the notification required under subsection (b)(1), and the certification required under subsection (b)(2).

"(b) *STATE ACTIONS.*—

"(1) *NOTIFICATION.*—Not later than 6 months after the date of enactment of this section (except as provided by the deadline identified under subsection (d)(3)(B)), the Governor of each State shall notify the Administrator, in writing, whether such State will adopt and implement a coal combustion residuals permit program.

"(2) *CERTIFICATION.*—

"(A) *IN GENERAL.*—Not later than 36 months after the date of enactment of this section (except as provided in subsection (f)(1)(A)), in the case of a State that has notified the Administrator that it will implement a coal combustion residuals permit program, the head of the lead State implementing agency shall submit to the Administrator a certification that such coal combustion residuals permit program meets the requirements described in subsection (c).

"(B) *CONTENTS.*—A certification submitted under this paragraph shall include—

"(i) a letter identifying the lead State implementing agency, signed by the head of such agency;

"(ii) identification of any other State agencies involved with the implementation of the coal combustion residuals permit program;

"(iii) an explanation of how the State coal combustion residuals permit program meets the requirements of this section, including a description of the State's—

"(I) process to inspect or otherwise determine compliance with such permit program;

"(II) process to enforce the requirements of such permit program;

"(III) public participation process for the promulgation, amendment, or repeal of regulations for, and the issuance of permits under, such permit program;

"(IV) statutes, regulations, or policies pertaining to public access to information, such as groundwater monitoring data; and

"(V) statutes, regulations, or policies pertaining to structural integrity or dam safety that may be applied to structures through such permit program;

"(iv) a certification that the State has in effect, at the time of certification, statutes or regulations necessary to implement a coal combustion residuals permit program that meets the requirements described in subsection (c); and

"(v) copies of State statutes and regulations described in clause (iv).

"(C) *UPDATES.*—A State may update the certification as needed to reflect changes to the coal combustion residuals permit program.

"(3) *MAINTENANCE OF 4005(c) OR 3006 PROGRAM.*—In order to adopt or implement a coal combustion residuals permit program under this

section (including pursuant to subsection (f)), the State implementing agency shall maintain an approved permit program or other system of prior approval and conditions under section 4005(c) or an authorized program under section 3006.

“(c) REQUIREMENTS FOR A COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—A coal combustion residuals permit program shall consist of the following:

“(1) GENERAL REQUIREMENTS.—

“(A) IN GENERAL.—The implementing agency shall—

“(i) apply the subset of the revised criteria described in paragraph (2) to owners or operators of structures, including surface impoundments, that receive coal combustion residuals on or after the date of enactment of this section;

“(ii) with respect to structures that are receiving coal combustion residuals as of the date of enactment of this section, take the actions required under paragraph (3);

“(iii) impose requirements for surface impoundments that do not meet certain criteria pursuant to paragraph (4); and

“(iv) require that closure of structures occur in accordance with paragraph (5).

“(B) STRUCTURAL INTEGRITY.—

“(1) ENGINEERING CERTIFICATION.—The implementing agency shall require that an independent registered professional engineer certify that—

“(i) the design of each structure that receives coal combustion residuals on or after the date of enactment of this section is in accordance with recognized and generally accepted good engineering practices for containment of the maximum volume of coal combustion residuals and liquids which can be impounded therein; and

“(ii) the construction and maintenance of the structure will ensure structural stability.

“(ii) EMERGENCY ACTION PLAN.—The implementing agency shall require that the owner or operator of any structure that is a surface impoundment that receives coal combustion residuals on or after the date of enactment of this section and that is classified by the State as posing a high hazard potential pursuant to the guidelines published by the Federal Emergency Management Agency entitled ‘Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams’ (FEMA Publication Number 333) prepare and maintain an emergency action plan that identifies responsible persons and actions to be taken in the event of a dam safety emergency.

“(iii) INSPECTION.—

“(1) IN GENERAL.—The implementing agency shall require that structures that are surface impoundments that receive coal combustion residuals on or after the date of enactment of this section be inspected not less than annually by an independent registered professional engineer to assure that the design, operation, and maintenance of the surface impoundment is in accordance with recognized and generally accepted good engineering practices for containment of the maximum volume of coal combustion residuals and liquids which can be impounded therein, so as to ensure dam stability.

“(II) POTENTIALLY HAZARDOUS CONDITIONS.—The implementing agency shall require that if an inspection under subclause (I), or a periodic evaluation under clause (iv), reveals a potentially hazardous condition, the owner or operator of the structure shall immediately take action to mitigate the potentially hazardous condition and notify appropriate State and local first responders.

“(iv) PERIODIC EVALUATION.—The implementing agency shall require that structures that are surface impoundments that receive coal combustion residuals on or after the date of enactment of this section be periodically evaluated for appearances of structural weakness.

“(v) DEFICIENCY.—

“(1) IN GENERAL.—If the head of the implementing agency determines that a structure is

deficient with respect to the requirements in clause (i), (iii), or (iv), the head of the agency has the authority to require action to correct the deficiency according to a schedule determined by the agency.

“(II) UNCORRECTED DEFICIENCIES.—If a deficiency is not corrected according to the schedule, the head of the implementing agency has the authority to require that the structure close in accordance with paragraph (5).

“(III) DAM SAFETY CONSULTATION.—In the case of a structure that is a surface impoundment, the head of the implementing agency shall, in making a determination under subclause (I), consult with appropriate State dam safety officials.

“(C) LOCATION.—The implementing agency shall require that structures that first receive coal combustion residuals on or after the date of enactment of this section shall be constructed with a base located a minimum of 2 feet above the upper limit of the water table, unless it is demonstrated to the satisfaction of the implementing agency that—

“(i) the hydrogeologic characteristics of a structure and surrounding land would preclude such a requirement; and

“(ii) the function and integrity of the liner system will not be adversely impacted by contact with the water table.

“(D) WIND DISPERSAL.—

“(1) IN GENERAL.—The implementing agency shall require that owners or operators of structures that receive coal combustion residuals on or after the date of enactment of this section address wind dispersal of dust by requiring cover, or by wetting coal combustion residuals with water to a moisture content that prevents wind dispersal, facilitates compaction, and does not result in free liquids.

“(ii) ALTERNATIVE METHODS.—Subject to the review and approval by the implementing agency, owners or operators of structures that receive coal combustion residuals on or after the date of enactment of this section may propose alternative methods to address wind dispersal of dust that will provide comparable or more effective control of dust.

“(E) PERMITS.—The implementing agency shall require that owners or operators of structures that receive coal combustion residuals on or after the date of enactment of this section apply for and obtain permits incorporating the requirements of the coal combustion residuals permit program.

“(F) PUBLIC AVAILABILITY OF INFORMATION.—Except for information with respect to which disclosure is prohibited under section 1905 of title 18, United States Code, the implementing agency shall ensure that—

“(i) documents for permit determinations are made available for public review and comment under the public participation process described in subsection (b)(2)(B)(iii)(III) or in subsection (e)(6), as applicable;

“(ii) final determinations on permit applications are made known to the public; and

“(iii) groundwater monitoring data collected under paragraph (2) is publicly available.

“(G) AGENCY AUTHORITY.—

“(1) IN GENERAL.—The implementing agency has the authority to—

“(I) obtain information necessary to determine whether the owner or operator of a structure is in compliance with the requirements of this subsection;

“(II) conduct or require monitoring and testing to ensure that structures are in compliance with the requirements of this subsection; and

“(III) enter, at reasonable times, any site or premise subject to the coal combustion residuals permit program for the purpose of inspecting structures and reviewing records relevant to the design, operation, and maintenance of structures.

“(ii) MONITORING AND TESTING.—If monitoring or testing is conducted under clause (i)(II) by or for the implementing agency, the implementing

agency shall, if requested, provide to the owner or operator—

“(I) a written description of the monitoring or testing completed;

“(II) at the time of sampling, a portion of each sample equal in volume or weight to the portion retained by or for the implementing agency; and

“(III) a copy of the results of any analysis of samples collected by or for the implementing agency.

“(2) REVISED CRITERIA.—The subset of the revised criteria referred to in paragraph (1)(A)(i) are as follows:

“(A) DESIGN REQUIREMENTS.—For new structures, and lateral expansions of existing structures, that first receive coal combustion residuals on or after the date of enactment of this section, the revised criteria regarding design requirements described in section 258.40 of title 40, Code of Federal Regulations, except that the leachate collection system requirements described in section 258.40(a)(2) of title 40, Code of Federal Regulations, do not apply to structures that are surface impoundments.

“(B) GROUNDWATER MONITORING AND CORRECTIVE ACTION.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria regarding groundwater monitoring and corrective action requirements described in subpart E of part 258 of title 40, Code of Federal Regulations, except that, for the purposes of this subparagraph, the revised criteria shall also include—

“(i) for the purposes of detection monitoring, the constituents boron, chloride, conductivity, fluoride, mercury, pH, sulfate, sulfide, and total dissolved solids; and

“(ii) for the purposes of assessment monitoring, establishing a groundwater protection standard, and assessment of corrective measures, the constituents aluminum, boron, chloride, fluoride, iron, manganese, molybdenum, pH, sulfate, and total dissolved solids.

“(C) CLOSURE.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, in a manner consistent with paragraph (5), the revised criteria for closure described in subsections (a) through (c) and (h) through (j) of section 258.60 of title 40, Code of Federal Regulations.

“(D) POST-CLOSURE.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for post-closure care described in section 258.61 of title 40, Code of Federal Regulations, except for the requirement described in subsection (a)(4) of that section.

“(E) LOCATION RESTRICTIONS.—The revised criteria for location restrictions described in—

“(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals on or after the date of enactment of this section, sections 258.11 through 258.15 of title 40, Code of Federal Regulations; and

“(ii) for existing structures that receive coal combustion residuals on or after the date of enactment of this section, sections 258.11 and 258.15 of title 40, Code of Federal Regulations.

“(F) AIR QUALITY.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for air quality described in section 258.24 of title 40, Code of Federal Regulations.

“(G) FINANCIAL ASSURANCE.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations.

“(H) SURFACE WATER.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for surface water described in section 258.27 of title 40, Code of Federal Regulations.

“(I) RECORDKEEPING.—For all structures that receive coal combustion residuals on or after the

date of enactment of this section, the revised criteria for recordkeeping described in section 258.29 of title 40, Code of Federal Regulations.

“(J) RUN-ON AND RUN-OFF CONTROL SYSTEMS FOR LAND-BASED UNITS.—For all landfills and other land-based units, other than surface impoundments, that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for run-on and run-off control systems described in section 258.26 of title 40, Code of Federal Regulations.

“(K) RUN-OFF CONTROL SYSTEMS FOR SURFACE IMPOUNDMENTS.—For all surface impoundments that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for run-off control systems described in section 258.26(a)(2) of title 40, Code of Federal Regulations.

“(3) PERMIT PROGRAM IMPLEMENTATION FOR EXISTING STRUCTURES.—

“(A) NOTIFICATION.—Not later than the date on which a State submits a certification under subsection (b)(2), not later than 30 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 36 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall notify owners or operators of structures that are receiving coal combustion residuals as of the date of enactment of this section within the State of—

“(i) the obligation to apply for and obtain a permit under subparagraph (C); and

“(ii) the requirements referred to in subparagraph (B).

“(B) COMPLIANCE WITH CERTAIN REQUIREMENTS.—Not later than 12 months after the date on which a State submits a certification under subsection (b)(2), not later than 42 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 48 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall require owners or operators of structures that are receiving coal combustion residuals as of the date of enactment of this section to comply with—

“(i) the requirements under paragraphs (1)(B)(ii) and (iii), (1)(D), (2)(B), (2)(F), (2)(H), (2)(J), and (2)(K); and

“(ii) the groundwater recordkeeping requirement described in section 258.29(a)(5) of title 40, Code of Federal Regulations.

“(C) PERMITS.—

“(i) PERMIT DEADLINE.—Not later than 48 months after the date on which a State submits a certification under subsection (b)(2), not later than 78 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 84 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall issue, with respect to a structure that is receiving coal combustion residuals as of the date of enactment of this section, a final permit incorporating the requirements of the coal combustion residuals permit program, or a final denial for an application submitted requesting such a permit.

“(ii) APPLICATION DEADLINE.—The implementing agency shall identify, in collaboration with the owner or operator of a structure described in clause (i), a reasonable deadline by which the owner or operator shall submit a permit application under such clause.

“(D) INTERIM OPERATION.—

“(i) PRIOR TO DEADLINES.—With respect to any period of time on or after the date of enactment of this section but prior to the applicable deadline in subparagraph (B), the owner or operator of a structure that is receiving coal combustion residuals as of the date of enactment of

this section may continue to operate such structure until such applicable deadline under the applicable authority in effect.

“(ii) PRIOR TO PERMIT.—Unless the implementing agency determines that the structure should close pursuant to paragraph (5), if the owner or operator of a structure that is receiving coal combustion residuals as of the date of enactment of this section meets the requirements referred to in subparagraph (B) by the applicable deadline in such subparagraph, the owner or operator may operate the structure until such time as the implementing agency issues, under subparagraph (C), a final permit incorporating the requirements of the coal combustion residuals permit program, or a final denial for an application submitted requesting such a permit.

“(4) REQUIREMENTS FOR SURFACE IMPOUNDMENTS THAT DO NOT MEET CERTAIN CRITERIA.—

“(A) SURFACE IMPOUNDMENTS THAT REQUIRE ASSESSMENT OF CORRECTIVE MEASURES WITHIN 10 YEARS OF THE DATE OF ENACTMENT.—

“(i) IN GENERAL.—In addition to the groundwater monitoring and corrective action requirements described in paragraph (2)(B), the implementing agency shall require a surface impoundment that receives coal combustion residuals on or after the date of enactment of this section to comply with the requirements in clause (ii) of this subparagraph and clauses (i) and (ii) of subparagraph (D) if the surface impoundment—

“(I) does not—

“(aa) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

“(bb) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations; and

“(II) within 10 years after the date of enactment of this section, is required under section 258.56(a) of title 40, Code of Federal Regulations, to undergo an assessment of corrective measures for any constituent covered under part E of part 258 of title 40, Code of Federal Regulations, or otherwise identified in paragraph (2)(B)(ii) of this subsection, for which assessment groundwater monitoring is required.

“(ii) DEADLINE TO MEET GROUNDWATER PROTECTION STANDARD.—Except as provided in subparagraph (C), the implementing agency shall require that the groundwater protection standard, for surface impoundments identified in clause (i) of this subparagraph, established by the implementing agency under section 258.55(h) or 258.55(i) of title 40, Code of Federal Regulations, for any constituent for which corrective measures are required shall be met—

“(I) as soon as practicable at the relevant point of compliance, as described in section 258.40(d) of title 40, Code of Federal Regulations; and

“(II) not later than 10 years after the date of enactment of this section.

“(B) SURFACE IMPOUNDMENTS SUBJECT TO A STATE CORRECTIVE ACTION REQUIREMENT AS OF THE DATE OF ENACTMENT.—

“(i) IN GENERAL.—In addition to the groundwater monitoring and corrective action requirements described in paragraph (2)(B), the implementing agency shall require a surface impoundment that receives coal combustion residuals on or after the date of enactment of this section to comply with the requirements in clause (ii) of this subparagraph and clauses (i) and (ii) of subparagraph (D) if the surface impoundment—

“(I) does not—

“(aa) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

“(bb) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations; and

“(II) as of the date of enactment of this section, is subject to a State corrective action requirement.

“(ii) DEADLINE TO MEET GROUNDWATER PROTECTION STANDARD.—Except as provided in sub-

paragraph (C), the implementing agency shall require that the groundwater protection standard, for surface impoundments identified in clause (i) of this subparagraph, established by the implementing agency under section 258.55(h) or 258.55(i) of title 40, Code of Federal Regulations, for any constituent for which corrective measures are required shall be met—

“(I) as soon as practicable at the relevant point of compliance, as described in section 258.40(d) of title 40, Code of Federal Regulations; and

“(II) not later than 8 years after the date of enactment of this section.

“(C) EXTENSION OF DEADLINE.—

“(i) IN GENERAL.—Except as provided in clause (ii) of this subparagraph, the deadline for meeting a groundwater protection standard under subparagraph (A)(ii) or (B)(ii) may be extended by the implementing agency, after opportunity for public notice and comment under the public participation process described in subsection (b)(2)(B)(iii)(III), or in subsection (e)(6) based on—

“(I) the effectiveness of any interim measures implemented by the owner or operator of the facility under section 258.58(a)(3) of title 40, Code of Federal Regulations;

“(II) the level of progress demonstrated in meeting the groundwater protection standard;

“(III) the potential for other adverse human health or environmental exposures attributable to the contamination from the surface impoundment undergoing corrective action; and

“(IV) the lack of available alternative management capacity for the coal combustion residuals and related materials managed in the impoundment at the facility at which the impoundment is located if the owner or operator has used best efforts, as necessary, to design, obtain any necessary permits, finance, construct, and render operational the alternative management capacity during the time period for meeting a groundwater protection standard in subparagraph (A)(ii) or (B)(ii).

“(ii) EXCEPTION.—The deadline under subparagraph (A)(ii) or (B)(ii) shall not be extended if there has been contamination of public or private drinking water systems attributable to a surface impoundment undergoing corrective action, unless the contamination has been addressed by providing a permanent replacement water system.

“(D) ADDITIONAL REQUIREMENTS.—

“(i) CLOSURE.—If the deadline under subparagraph (A)(ii), (B)(ii), or (C) is not satisfied, the surface impoundment shall cease receiving coal combustion residuals and initiate closure under paragraph (5).

“(ii) INTERIM MEASURES.—

“(I) IN GENERAL.—Except as provided in subclause (II), not later than 90 days after the date on which the assessment of corrective measures is initiated, the owner or operator of a surface impoundment described in subparagraph (A) or (B) shall implement interim measures, as necessary, under the factors in section 258.58(a)(3) of title 40, Code of Federal Regulations.

“(II) IMPOUNDMENTS SUBJECT TO STATE CORRECTIVE ACTION REQUIREMENT AS OF THE DATE OF ENACTMENT.—Subclause (I) shall only apply to surface impoundments subject to a State corrective action requirement as of the date of enactment of this section if the owner or operator has not implemented interim measures, as necessary, under the factors in section 258.58(a)(3) of title 40, Code of Federal Regulations.

“(E) SURFACE IMPOUNDMENTS THAT REQUIRE ASSESSMENT OF CORRECTIVE MEASURES MORE THAN 10 YEARS AFTER DATE OF ENACTMENT.—

“(i) IN GENERAL.—In addition to the groundwater monitoring and corrective action requirements described in paragraph (2)(B), the implementing agency shall require a surface impoundment that receives coal combustion residuals on or after the date of enactment of this section to comply with the requirements in clause (ii) if the surface impoundment—

“(I) does not—

“(aa) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

“(bb) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations; and

“(II) more than 10 years after the date of enactment of this section, is required under section 258.56(a) title 40, Code of Federal Regulations, to undergo an assessment of corrective measures for any constituent covered under subpart E of part 258 of title 40, Code of Federal Regulations, or otherwise identified in paragraph (2)(B)(ii) of this subsection, for which assessment groundwater monitoring is required.

“(ii) REQUIREMENTS.—

“(I) CLOSURE.—The surface impoundments identified in clause (i) shall cease receiving coal combustion residuals and initiate closure in accordance with paragraph (5) after alternative management capacity at the facility is available for the coal combustion residuals and related materials managed in the impoundment.

“(II) BEST EFFORTS.—The alternative management capacity shall be developed as soon as practicable with the owner or operator using best efforts to design, obtain necessary permits for, finance, construct, and render operational the alternative management capacity.

“(III) ALTERNATIVE CAPACITY MANAGEMENT PLAN.—The owner or operator shall, in collaboration with the implementing agency, prepare a written plan that describes the steps necessary to develop the alternative management capacity and includes a schedule for completion.

“(IV) PUBLIC PARTICIPATION.—The plan described in subclause (III) shall be subject to public notice and comment under the public participation process described in subsection (b)(2)(B)(iii)(III) or in subsection (e)(6), as applicable.

“(5) CLOSURE.—

“(A) IN GENERAL.—If it is determined by the implementing agency that a structure should close because the requirements of a coal combustion residuals permit program are not being satisfied with respect to such structure, or if it is determined by the owner or operator that a structure should close, the time period and method for the closure of such structure shall be set forth in a closure plan that establishes a deadline for completion of closure as soon as practicable and that takes into account the nature and the site-specific characteristics of the structure to be closed.

“(B) SURFACE IMPOUNDMENT.—In the case of a surface impoundment, the closure plan under subparagraph (A) shall require, at a minimum, the removal of liquid and the stabilization of remaining waste, as necessary to support the final cover.

“(d) FEDERAL REVIEW OF STATE PERMIT PROGRAMS.—

“(I) IN GENERAL.—The Administrator shall provide to a State written notice and an opportunity to remedy deficiencies in accordance with paragraph (3) if at any time the State—

“(A) does not satisfy the notification requirement under subsection (b)(1);

“(B) has not submitted a certification required under subsection (b)(2);

“(C) does not satisfy the maintenance requirement under subsection (b)(3);

“(D) is not implementing a coal combustion residuals permit program, with respect to which the State has submitted a certification under subsection (b)(2), that meets the requirements described in subsection (c);

“(E) is not implementing a coal combustion residuals permit program, with respect to which the State has submitted a certification under subsection (b)(2)—

“(i) that is consistent with such certification; and

“(ii) for which the State continues to have in effect statutes or regulations necessary to implement such program; or

“(F) does not make available to the Administrator, within 90 days of a written request, specific information necessary for the Administrator to ascertain whether the State has satisfied the requirements described in subparagraphs (A) through (E).

“(2) REQUEST.—If a request described in paragraph (1)(F) is proposed pursuant to a petition to the Administrator, the Administrator shall only make the request if the Administrator does not possess the information necessary to ascertain whether the State has satisfied the requirements described in subparagraphs (A) through (E) of such paragraph.

“(3) CONTENTS OF NOTICE; DEADLINE FOR RESPONSE.—A notice provided under paragraph (1) shall—

“(A) include findings of the Administrator detailing any applicable deficiencies described in subparagraphs (A) through (F) of paragraph (1); and

“(B) identify, in collaboration with the State, a reasonable deadline by which the State shall remedy such applicable deficiencies, which shall be—

“(i) in the case of a deficiency described in subparagraphs (A) through (E) of paragraph (1), not earlier than 180 days after the date on which the State receives the notice; and

“(ii) in the case of a deficiency described in paragraph (1)(F), not later than 90 days after the date on which the State receives the notice.

“(4) CRITERIA FOR DETERMINING DEFICIENCY OF STATE PERMIT PROGRAM.—In making a determination whether a State has failed to satisfy the requirements described in subparagraphs (A) through (E) of paragraph (1), or a determination under subsection (e)(1)(B), the Administrator shall consider, as appropriate—

“(A) whether the State's statutes or regulations to implement a coal combustion residuals permit program are not sufficient to meet the requirements described in subsection (c) because of—

“(i) failure of the State to promulgate or enact new statutes or regulations when necessary; or

“(ii) action by a State legislature or court striking down or limiting such State statutes or regulations;

“(B) whether the operation of the State coal combustion residuals permit program fails to comply with the requirements of subsection (c) because of—

“(i) failure of the State to issue permits as required in subsection (c)(1)(E);

“(ii) repeated issuance of permits by the State which do not meet the requirements of subsection (c);

“(iii) failure of the State to comply with the public participation requirements of this section; or

“(iv) failure of the State to implement corrective action requirements as described in subsection (c)(2)(B); and

“(C) whether the enforcement of a State coal combustion residuals permit program fails to comply with the requirements of this section because of—

“(i) failure to act on violations of permits, as identified by the State; or

“(ii) repeated failure by the State to inspect or otherwise determine compliance pursuant to the process identified in subsection (b)(2)(B)(iii)(I).

“(e) IMPLEMENTATION BY ADMINISTRATOR.—

“(1) FEDERAL BACKSTOP AUTHORITY.—The Administrator shall implement a coal combustion residuals permit program for a State only if—

“(A) the Governor of the State notifies the Administrator under subsection (b)(1) that the State will not adopt and implement a permit program;

“(B) the State has received a notice under subsection (d) and the Administrator determines, after providing a 30-day period for notice and public comment, that the State has failed, by the deadline identified in the notice under subsection (d)(3)(B), to remedy the deficiencies detailed in the notice under subsection (d)(3)(A); or

“(C) the State informs the Administrator, in writing, that such State will no longer implement such a permit program.

“(2) REVIEW.—A State may obtain a review of a determination by the Administrator under this subsection as if the determination was a final regulation for purposes of section 7006.

“(3) OTHER STRUCTURES.—For structures that receive coal combustion residuals on or after the date of enactment of this section located on property within the exterior boundaries of a State that the State does not have authority or jurisdiction to regulate, the Administrator shall implement a coal combustion residuals permit program only for those structures.

“(4) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1) or (3), the permit program shall consist of the requirements described in subsection (c).

“(5) ENFORCEMENT.—

“(A) IN GENERAL.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1)—

“(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures for which the Administrator is implementing the coal combustion residuals permit program; and

“(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section in the State.

“(B) OTHER STRUCTURES.—If the Administrator implements a coal combustion residuals permit program under paragraph (3)—

“(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures for which the Administrator is implementing the coal combustion residuals permit program; and

“(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section for the structures for which the Administrator is implementing the coal combustion residuals permit program.

“(6) PUBLIC PARTICIPATION PROCESS.—If the Administrator implements a coal combustion residuals permit program for a State under this subsection, the Administrator shall provide a 30-day period for the public participation process required in paragraphs (1)(F)(i), (4)(C)(i), and (4)(E)(ii)(IV) of subsection (c).

“(f) STATE CONTROL AFTER IMPLEMENTATION BY ADMINISTRATOR.—

“(I) STATE CONTROL.—

“(A) NEW ADOPTION, OR RESUMPTION OF, AND IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(A), or subsection (e)(1)(C), the State may adopt and implement such a permit program by—

“(i) notifying the Administrator that the State will adopt and implement such a permit program;

“(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

“(iii) receiving from the Administrator—

“(I) a determination, after providing a 30-day period for notice and public comment, that the State coal combustion residuals permit program meets the requirements described in subsection (c); and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(B) REMEDYING DEFICIENT PERMIT PROGRAM.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(B), the State may adopt and implement such a permit program by—

“(i) remedying only the deficiencies detailed in the notice pursuant to subsection (d)(3)(A); and

“(ii) receiving from the Administrator—

“(I) a determination, after providing a 30-day period for notice and public comment, that the deficiencies detailed in such notice have been remedied; and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(2) REVIEW OF DETERMINATION.—

“(A) DETERMINATION REQUIRED.—The Administrator shall make a determination under paragraph (1) not later than 90 days after the date on which the State submits a certification under paragraph (1)(A)(ii), or notifies the Administrator that the deficiencies have been remedied pursuant to paragraph (1)(B)(i), as applicable.

“(B) REVIEW.—A State may obtain a review of a determination by the Administrator under paragraph (1) as if such determination was a final regulation for purposes of section 7006.

“(3) IMPLEMENTATION DURING TRANSITION.—

“(A) EFFECT ON ACTIONS AND ORDERS.—Program requirements of, and actions taken or orders issued pursuant to, a coal combustion residuals permit program shall remain in effect if—

“(i) a State takes control of its coal combustion residuals permit program from the Administrator under paragraph (1); or

“(ii) the Administrator takes control of a coal combustion residuals permit program from a State under subsection (e).

“(B) CHANGE IN REQUIREMENTS.—Subparagraph (A) shall apply to such program requirements, actions, and orders until such time as—

“(i) the implementing agency changes the requirements of the coal combustion residuals permit program with respect to the basis for the action or order; or

“(ii) the State or the Administrator, whichever took the action or issued the order, certifies the completion of a corrective action that is the subject of the action or order.

“(4) SINGLE PERMIT PROGRAM.—If a State adopts and implements a coal combustion residuals permit program under this subsection, the Administrator shall cease to implement the permit program implemented under subsection (e)(1) for such State.

“(g) EFFECT ON DETERMINATION UNDER 4005(c) OR 3006.—The Administrator shall not consider the implementation of a coal combustion residuals permit program by the Administrator under subsection (e) in making a determination of approval for a permit program or other system of prior approval and conditions under section 4005(c) or of authorization for a program under section 3006.

“(h) AUTHORITY.—

“(1) STATE AUTHORITY.—Nothing in this section shall preclude or deny any right of any State to adopt or enforce any regulation or requirement respecting coal combustion residuals that is more stringent or broader in scope than a regulation or requirement under this section.

“(2) AUTHORITY OF THE ADMINISTRATOR.—

“(A) IN GENERAL.—Except as provided in subsections (d) and (e) and section 6005, the Administrator shall, with respect to the regulation of coal combustion residuals, defer to the States pursuant to this section.

“(B) IMMINENT HAZARD.—Nothing in this section shall be construed as affecting the authority of the Administrator under section 7003 with respect to coal combustion residuals.

“(C) ENFORCEMENT ASSISTANCE ONLY UPON REQUEST.—Upon request from the head of a lead State agency that is implementing a coal combustion residuals permit program, the Administrator may provide to such State agency only the enforcement assistance requested.

“(D) CONCURRENT ENFORCEMENT.—Except as provided in subparagraph (C), the Administrator shall not have concurrent enforcement authority when a State is implementing a coal combustion residuals permit program, including during any period of interim operation described in subsection (c)(3)(D).

“(E) OTHER AUTHORITY.—The Administrator shall not have authority to finalize the proposed

rule published at pages 35128 through 35264 of volume 75 of the Federal Register (June 21, 2010).

“(F) OTHER RESPONSE AUTHORITY.—Nothing in this section shall be construed as affecting the authority of the Administrator under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) with respect to coal combustion residuals.

“(3) CITIZEN SUITS.—Nothing in this section shall be construed to affect the authority of a person to commence a civil action in accordance with section 7002.

“(i) MINE RECLAMATION ACTIVITIES.—A coal combustion residuals permit program implemented by the Administrator under subsection (e) shall not apply to the utilization, placement, and storage of coal combustion residuals at surface mining and reclamation operations.

“(j) DEFINITIONS.—In this section:

“(1) COAL COMBUSTION RESIDUALS.—The term ‘coal combustion residuals’ means—

“(A) the solid wastes listed in section 3001(b)(3)(A)(i), including recoverable materials from such wastes;

“(B) coal combustion wastes that are co-managed with wastes produced in conjunction with the combustion of coal, provided that such wastes are not segregated and disposed of separately from the coal combustion wastes and comprise a relatively small proportion of the total wastes being disposed in the structure;

“(C) fluidized bed combustion wastes;

“(D) wastes from the co-burning of coal with non-hazardous secondary materials, provided that coal makes up at least 50 percent of the total fuel burned; and

“(E) wastes from the co-burning of coal with materials described in subparagraph (A) that are recovered from monofills.

“(2) COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—The term ‘coal combustion residuals permit program’ means all of the authorities, activities, and procedures that comprise the system of prior approval and conditions implemented by or for a State to regulate the management and disposal of coal combustion residuals.

“(3) CODE OF FEDERAL REGULATIONS.—The term ‘Code of Federal Regulations’ means the Code of Federal Regulations (as in effect on the date of enactment of this section) or any successor regulations.

“(4) IMPLEMENTING AGENCY.—The term ‘implementing agency’ means the agency responsible for implementing a coal combustion residuals permit program for a State, which shall either be the lead State implementing agency identified under subsection (b)(2)(B)(i) or the Administrator pursuant to subsection (e).

“(5) PERMIT; PRIOR APPROVAL AND CONDITIONS.—Except as provided in subsections (b)(3) and (g), the terms ‘permit’ and ‘prior approval and conditions’ mean any authorization, license, or equivalent control document that incorporates the requirements of subsection (c).

“(6) REVISED CRITERIA.—The term ‘revised criteria’ means the criteria promulgated for municipal solid waste landfill units under section 4004(a) and under section 1008(a)(3), as revised under section 4010(c).

“(7) STRUCTURE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘structure’ means a landfill, surface impoundment, or other land-based unit which receives, or is intended to receive, coal combustion residuals.

“(B) DE MINIMIS RECEIPT.—The term ‘structure’ does not include any land-based unit that receives only de minimis quantities of coal combustion residuals if the presence of coal combustion residuals is incidental to the material managed in the unit.”.

(b) CONFORMING AMENDMENT.—The table of contents contained in section 1001 of the Solid Waste Disposal Act is amended by inserting after the item relating to section 4010 the following:

“Sec. 4011. Management and disposal of coal combustion residuals.”.

SEC. 3. 2000 REGULATORY DETERMINATION.

Nothing in this Act, or the amendments made by this Act, shall be construed to alter in any manner the Environmental Protection Agency’s regulatory determination entitled “Notice of Regulatory Determination on Wastes From the Combustion of Fossil Fuels”, published at 65 Fed. Reg. 32214 (May 22, 2000), that the fossil fuel combustion wastes addressed in that determination do not warrant regulation under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

SEC. 4. TECHNICAL ASSISTANCE.

Nothing in this Act, or the amendments made by this Act, shall be construed to affect the authority of a State to request, or the Administrator of the Environmental Protection Agency to provide, technical assistance under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 5. FEDERAL POWER ACT.

Nothing in this Act, or the amendments made by this Act, shall be construed to affect the obligations of an owner or operator of a structure (as defined in section 4011 of the Solid Waste Disposal Act, as added by this Act) under section 215(b)(1) of the Federal Power Act (16 U.S.C. 824o(b)(1)).

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of House Report 113-174. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CONNOLLY

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 113-174.

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 4, strike “and”.

Page 6, line 6, strike the period and insert “; and”.

Page 6, after line 6, insert the following new clause:

“(vi) an emergency action plan for State response to a leak or spill at a structure that receives coal combustion residuals.

The CHAIR. Pursuant to House Resolution 315, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I rise to offer a commonsense amendment to ensure that every State that chooses to allow coal ash impoundments as outlined in this bill has a strong emergency response plan in the unfortunate event of a leak or spill.

Sadly, the 2008 failure of a coal ash impoundment in Kingston, Tennessee, highlights the very devastation a spill can have on a community. As was widely reported at the time, a breach in a surface impoundment pond at the Tennessee Valley Authority’s Kingston

facility released more than 5 million cubic yards of coal ash, covering more than 300 acres in toxic sludge, damaging and destroying homes and property. As we speak, there is still a Federal Superfund cleanup site where the total cost could top more than \$1.2 billion. Absent a plan, what could go wrong?

Beyond that staggering price tag, let us not forget that the lasting economic and health impacts in the surrounding communities resulting from this spill are catastrophic. Families were displaced from their homes. Some residents still suffer from respiratory illnesses and other side effects. Arsenic levels where the Kingston coal ash runoff were disposed of are measured at 80 times higher than the amount legally allowed under the Safe Drinking Water Act, and the EPA already has said such exposure significantly increases a lifetime risk of cancer. These are just the impacts we know of today. Who knows what the unknown health consequences might be.

The Kingston incident is not an isolated event, sadly. According to Earthjustice, there have been more than 211 known cases of coal ash contamination and spills in 37 different States. According to the EPA, 45 impoundments are currently considered high hazard, meaning that a failure will probably cause loss of human life. Of course, this bill doesn't concern itself with those problems or apply the lessons learned.

In response to the Kingston incident, former Tennessee Governor Phil Bredesen even acknowledged that "the State's environmental regulations, mostly written in the 1970s, don't take into account a disaster such as the ash spill and need a top to bottom review."

□ 1015

And he said we need a top-to-bottom review of those policies.

As we have already seen, the Federal Government is forced to step in when disasters such as these take place. Yet, rather than make the Federal Government a partner, or even a resource, this bill turns sole responsibility over to the States. There ought to be a clear minimum set of standards for EPA to identify and remedy State program deficiencies, stronger groundwater protection standards, and clear and appropriate authority for taking potential corrective action on unlined or leaking impoundments. That seems common sense.

The original amendment would have ensured that States certify their coal ash permitting plans annually, including up-to-date emergency response plans. The House majority thought regular reporting was nothing more than a paperwork exercise, so I now offer this revised amendment in keeping with their concerns to ensure, at a minimum, that States have thorough and comprehensive emergency response plans to address a spill or a leak. We cannot simply count on private enter-

prise to be prepared for a spill. The State and local governments, who are the first responders, must be active partners. By requiring them to provide EPA simply their own emergency response plans, we are taking a modest step to ensure they are prepared to respond to an emergency.

I reserve the balance of my time.

Mr. SHIMKUS. I claim the time in opposition, but I don't oppose the amendment.

The CHAIR. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. SHIMKUS. Mr. Chairman, I want to thank my colleague for working with us and making some changes that we thought were appropriate.

We agree with my colleague from Virginia that States should identify what their emergency response procedures are in the certification process, and so we are prepared to accept the amendment. He's made it a better bill.

I yield back the balance of my time.

Mr. CONNOLLY. Mr. Chairman, I thank my colleague, and I look forward to working with him.

I yield to the distinguished ranking member.

Mr. WAXMAN. I thank the gentleman for yielding.

I support your amendment and urge all of our colleagues to support it as well.

Mr. CONNOLLY. I thank the gentleman.

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

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 113-174.

Mr. WAXMAN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, strike lines 22 and 23 and insert the following:

"(A) IN GENERAL.—The implementing agency shall apply, and structures shall meet, requirements as necessary to protect human health and the environment.

"(B) CRITERIA.—The implementing agency shall—

The CHAIR. Pursuant to House Resolution 315, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, under all of our environmental laws, the Federal Government sets a standard, and then the States implement the law looking at the different circumstances in their community. For example, the Clean Air Act says, in effect, everywhere in this country, we cannot have air pollution that exceeds the standard

to protect the public health, but the States decide the implementation to achieve that standard.

Under this bill, we're not setting a national standard. We're telling the States to set a standard. If we're going to let the States set the standard, my amendment would require that the standard in every State be to protect the public health, to protect human health and the environment. That's the goal of these laws, and that should be the requirement under this law.

The standards are the yardsticks under which we determine whether a State's effort measures up and ensures a consistent level of protection throughout the Nation. If we're not going to have a national standard by EPA, let's require the State to set that standard. This is an approach that has worked well because it ensures that all Americans enjoy a minimum level of protection and residents of one State are not threatened by inadequate laws in a neighboring State.

For example, if one State has a good, strong law to protect the public health, another State, trying to get the business away from that State to locate in theirs, will drop their standards lower to try to entice that business to relocate. The laxest protection becomes the dumping ground for the neighboring States. We don't want to put States in a race to the bottom.

When Congress passed the Resource Conservation and Recovery Act, we assigned EPA a simple mission: to protect human health and the environment from unsafe disposal of solid waste. Achieving that mission can be complex, but we have a clear goal. It provides direction for the Agency's technical work. But the bill we are considering today doesn't contain this standard.

Disposal of household garbage, for example, must be disposed of in a way that protects human health. But under this bill, coal ash would not be required to be disposed of in a way that protects human health.

My amendment would fix this serious problem by calling on the States to require measures necessary to protect human health and the environment. If we had the Republicans willing to accept the amendment that every State have an emergency plan, we're simply asking that every State have a goal, clearly stated, to achieve the protection of human health and the environment, otherwise a State's plan is not adequate; there would be no recourse as long as a State meets all of the other requirements of this law but still does not get to the goal.

The Congressional Research Service examined this legislation, and they told us that nothing in H.R. 2218 requires the States to establish programs that will achieve any specified level of Federal standard or protection. CRS concluded:

The degree to which a State program may protect human health from risks specific to coal ash disposal would not be known until individual States begin to interpret the bill.

That means the one thing we know for sure is that this bill will take EPA off the beat—take the EPA off the beat, like we took the SEC and other regulators off the beat, where Wall Street took huge risks and drove our economy over the cliff. It'll take EPA off the beat, and then we'll gamble on each State government doing a good job. That's a pretty risky gamble. And if it doesn't pay off, who's going to suffer? Well, the price will be borne by communities in Michigan, Ohio, Pennsylvania, Alabama and elsewhere whose water supplies will suffer from toxic contamination.

Members from some of those States come in here and argue we need those jobs. Well, of course we need the jobs, and we're going to keep those jobs. But why shouldn't we, in keeping jobs, have waste disposals be constructed in a way that will not pollute our drinking water and harm human health?

So I would urge that we set this standard in the bill and adopt this amendment.

I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MCKINLEY. First, I want to just add a congratulations to my colleague from California whose position apparently has evolved over the last couple of years, because I remember back in 2011, he had a problem and voted against the recycling material. So to hear him today say how he favors, I appreciate that. That was on H.R. 1 in February of 2011.

But as for this amendment, this is not necessary because H.R. 2218 establishes a minimum standard of protection for coal ash permit programs. The standard of protection is the minimum requirements that are set out in this bill and includes protections such as groundwater monitoring; corrective action; financial assurance; specific cleanup and closure requirements for unlined, leaking impoundments; stringent structural stability requirements; and fugitive dust controls.

Furthermore, H.R. 2218 establishes a minimum national standard that is based on the existing criteria for municipal solid waste landfills which were promulgated by EPA to "protect human health and the environment."

This chart is a collection of some of the elements that are included in the bill already to deal with standards. Things like requiring that the structure be located above water tables. Groundwater monitoring is to be included in this. We have surface water controls under section 4011, controls for CCR landfills, control runoffs for CCR surface, accelerated corrective action for unlined surface impoundments.

We included in this bill, and if people would read the bill, they would see that under 4011, there are areas where the EPA can help to identify deficiencies, including specific criteria for

undertaking a deficiency review. It has a backstop authority to enforce that these requirements are upheld and to correct any EPA-identified deficiency.

My colleague continues to use this "race to the bottom" among States, and they will compete with each other to become the dumping ground for neighbor States. That's a misguided assumption and, frankly, an insult to the hardworking State environmental regulators. It is unfortunate that he also does not trust the environmental regulators in his State, or any other State for that matter, to establish permit programs that are protective. My colleague ignores that the State regulators are tasked every day with protecting human health and the environment.

Another problem with this amendment is that, since it is not well defined, the EPA or a judge would have the sole discretion to determine what constitutes "protecting human health and the environment." Any State failing to meet this subjective and ambiguous standard would have their permit program stripped from them to be run by the EPA.

This amendment diminishes the important role of the States and let's the EPA meddle in a program the States have proven that they are capable of handling. This amendment is not about protecting human health and the environment; it's about growing Federal control at the expense of the States. States have been tasked with implementing RCRA, and this bill allows them to continue to do just that.

If you support bigger government, support this amendment; but if you trust your State to take care of its own people, then we should oppose it. I urge opposition to this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. WAXMAN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. TONKO

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 113-174.

Mr. TONKO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 34, line 11, strike "program; or" and insert "program;"

Page 34, line 17, strike "(E)." and insert "(E); or"

Page 34, after line 17, insert the following subparagraph:

"(G) is subject to a determination under paragraph (5).

Page 35, line 6, insert "or in paragraph (5)" after "paragraph (1)".

Page 35, line 14, insert "or in paragraph (5)" after "paragraph (1)".

Page 36, line 1, after "(e)(1)(B)" insert "other than a determination with respect to a deficiency described in paragraph (1)(G)".

Page 37, after line 13, insert the following paragraph:

"(5) DEFICIENCY BASED ON INTERSTATE RISKS.—The Administrator shall determine a State coal combustion residuals permit program to be deficient if, at any time, the State permit program, or the implementation of the State permit program, threatens human health or the environment in another State. Any State may request that the Administrator review another State's coal combustion residuals permit program for deficiency under this paragraph.

The CHAIR. Pursuant to House Resolution 315, the gentleman from New York (Mr. TONKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TONKO. Mr. Chairman, we are a Nation of 50 States, but we are bound together by common history, purpose, and laws.

Prior to the passage of national environmental laws, States had individual regulatory programs that offered a patchwork of protection. We tried this system for air, for water, for toxic waste, and for many other things. That is the system we have today for the disposal of coal combustion residuals that cannot be recycled. It did not work; it does not work.

H.R. 2218 will not correct the problems with coal ash disposal. We have a State-by-State program for coal ash disposal now. H.R. 2218 codifies that situation and goes further to prevent the EPA from exercising its authority to require that State programs provide a basic standard to ensure that all citizens are indeed protected.

□ 1030

My amendment authorizes a proper Federal role, a role of oversight for the EPA to ensure the actions of one State do not result in negative impacts on a State with which it shares an important resource.

In addition, my amendment would enable a State to request that EPA review the permitting program of another State to ensure that the program offered sufficient protection of its citizens and its resources.

We do not allow northern States along the Mississippi River to dump toxic substances into the river for downstream States to clean up. We do not allow individual States to pollute the air and send the pollution well beyond their borders.

We need a better system for dealing with coal combustion waste, a system that applies fairly across our great country.

You might wonder how often the location of a coal ash facility is near enough to a shared resource or a State's border to cause a potential problem. Well, it turns out it is common.

The failure of a coal ash facility associated with the Martins Creek Power

Plant in Pennsylvania affected communities in New Jersey when coal ash spilled into the Delaware River.

Residents of the State of Michigan were upset when the failure of an old coal ash impoundment in Wisconsin sent coal ash, mud, and machinery into Lake Michigan.

And several of the coal combustion disposal facilities on the high-hazard list in Ohio and West Virginia are located along the Ohio River, a shared border and resource of these two States.

Well, I could go on. It turns out that because these facilities are often located in close proximity to coal-fired utilities where the waste is generated, they are also close to water required for cooling and steam generation. A number are located near sizable water sources that serve multiple communities and often multiple States.

So, in order to ensure good relations between neighboring States, and to ensure that all our citizens are protected from exposure to the toxic substances contained in coal ash, I believe the EPA should have the authority to step in when necessary.

The system we have used successfully, based upon common standards that ensure the protection of human health and the environment, should be applied to this situation. We cannot afford another episode like the one in Kingston, Tennessee.

The choice is not about whether we can have a clean, healthy environment or a robust economy. We can have both. Part of the formula for ensuring a robust economy includes having a clean environment.

Pollution is not cost-free. It costs us lost work days, illness, and premature deaths. It devalues property and results in expensive, unnecessary cleanup costs. We can do better.

My amendment will improve this bill and protect all our citizens and their shared resources. I urge my colleagues to support the amendment.

With that, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I claim time in opposition.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, the State permit program must incorporate minimum requirements which are based on regulations promulgated by the EPA to "protect human health and the environment," which include groundwater monitoring of all structures, fugitive dust control, structural stability requirements and closure of structures that cannot be corrected.

The premise of this is, if you have Federal standards, that they're not protective, and that the States will not do that.

We find this debate very curious, in that my colleagues on the other side have so much of a disrespect for the States and their environmental communities and the ability of States to ensure the protection of human health,

the environment from a State position, Federal standards, State certification process, States.

Under RCRA, the States do this anyway. This is what the States do. Under the Municipal Solid Waste Disposal Act, the States are the ones who are enforcing this. All we're doing is saying we can do this now for fly ash and coal ash.

So while my colleague's amendment is well-intentioned, it really undercuts the purpose of the legislation and is unnecessary because the bill contains specific criteria by which the EPA will judge State permit programs, and I listed those earlier.

This is a politically appealing amendment, but it has many flaws, not the least of which is that any State can request that EPA review another State's coal combustion residual permit program, regardless of the location, and whether there is actually a cross-border impact.

As my colleague pointed out in the Rules Committee on Tuesday, there's no requirement in this amendment that a State that requests a review needs to even be impacted by the contamination allegedly coming from another State.

While my colleague has probably scoured the country to come up with an example or two of coal ash contamination crossing State lines, the fact of the matter is that cross boundary is not really an issue with respect to coal ash disposal because regulation of solid waste disposal is typically an issue that remains within the State.

This amendment attempts to create another hook for the EPA to measure State coal combustion residuals permit programs using the subjective yardstick of what is protective of human health and the environment, which my colleague did a good job defending in the other amendment.

I understand that my colleague believes that the Federal Government must step in to save the day, but I trust that our State environmental regulators are up to the task of making sure that our communities are protected.

This amendment diminishes the important role of the States, and I urge opposition to this amendment.

I yield back the balance of my time.

Mr. TONKO. Mr. Chair, I respect the work done by my colleague from Illinois, but respectfully disagree with his assessment. There's ample evidence that States have poorly regulated, in some cases, this waste stream, and it puts at risk innocent bystanders who are impacted by their actions.

And so I stand by the worthiness of this amendment, and again, encourage my colleagues to support it.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TONKO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 113-174 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. WAXMAN of California.

Amendment No. 3 by Mr. TONKO of New York.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. WAXMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 231, not voting 17, as follows:

[Roll No. 415]

AYES—185

Andrews	Dingell	Kuster
Barrow (GA)	Doggett	Langevin
Bass	Doyle	Larsen (WA)
Beatty	Duckworth	Larson (CT)
Becerra	Edwards	Lee (CA)
Bera (CA)	Ellison	Levin
Bishop (NY)	Engel	Lewis
Blumenauer	Enyart	Lipinski
Bonamici	Eshoo	Loebsack
Brady (PA)	Esty	Lofgren
Bralley (IA)	Farr	Lowenthal
Brownley (CA)	Fattah	Lowe
Bustos	Foster	Lujan Grisham
Butterfield	Frankel (FL)	(NM)
Capps	Fudge	Luján, Ben Ray
Capuano	Gabbard	(NM)
Cárdenas	Gallego	Lynch
Carney	Garamendi	Maffei
Carson (IN)	Garcia	Maloney
Cartwright	Gibson	Carolyn
Castor (FL)	Grayson	Maloney, Sean
Castro (TX)	Green, Al	Matheson
Chu	Green, Gene	Matsui
Cicilline	Grijalva	McCollum
Clarke	Gutiérrez	McDermott
Clay	Hahn	McGovern
Cleaver	Hastings (FL)	McNerney
Clyburn	Heck (WA)	Meeks
Cohen	Higgins	Meng
Connolly	Hinojosa	Michaud
Conyers	Honda	Miller, George
Cooper	Hoyer	Moran
Courtney	Huffman	Murphy (FL)
Crowley	Israel	Nadler
Cuellar	Jackson Lee	Napolitano
Cummings	Jeffries	Neal
Davis (CA)	Johnson (GA)	Negrete McLeod
Davis, Danny	Johnson, E. B.	Nolan
DeFazio	Kaptur	O'Rourke
DeGette	Keating	Pascrell
Delaney	Kelly (IL)	Pastor (AZ)
DeLauro	Kennedy	Payne
DelBene	Kildee	Pelosi
Deutch	Kilmer	Perlmutter

Peters (CA) Schiff
 Peters (MI) Schneider
 Pingree (ME) Schrader
 Pocan Schwartz
 Polis Scott (VA)
 Price (NC) Scott, David
 Quigley Serrano
 Rahall Sewell (AL)
 Rangel Shea-Porter
 Richmond Sherman
 Roybal-Allard Sires
 Ruiz Slaughter
 Ruppberger Smith (NJ)
 Rush Smith (WA)
 Ryan (OH) Speier
 Sánchez, Linda Swalwell (CA)
 T. Takano
 Sanchez, Loretta Thompson (CA)
 Sarbanes Thompson (MS)
 Schakowsky Tierney

NOES—231

Aderholt Granger
 Alexander Graves (GA)
 Amash Graves (MO)
 Amodei Griffin (AR)
 Bachmann Griffith (VA)
 Bachus Grimm
 Barber Guthrie
 Barr Hall
 Barton Hanna
 Benishek Harper
 Bentivolio Harris
 Bilirakis Hartzler
 Bishop (GA) Hastings (WA)
 Bishop (UT) Heck (NV)
 Black Hensarling
 Blackburn Holding
 Bonner Hudson
 Boustany Huelskamp
 Brady (TX) Huizenga (MI)
 Bridenstine Hultgren
 Brooks (AL) Hunter
 Brooks (IN) Hurt
 Broun (GA) Issa
 Buchanan Jenkins
 Bucshon Johnson (OH)
 Calvert Johnson, Sam
 Camp Jones
 Cantor Jordan
 Capito Joyce
 Carter Kelly (PA)
 Chabot Kind
 Chaffetz King (IA)
 Coble King (NY)
 Coffman Kingston
 Cole Kinzinger (IL)
 Collins (GA) Kirkpatrick
 Collins (NY) Kline
 Conaway Labrador
 Cook LaMalfa
 Costa Lamborn
 Cotton Lance
 Cramer Lankford
 Crawford Latham
 Crenshaw Latta
 Culberson LoBiondo
 Daines Long
 Davis, Rodney Lucas
 Denham Luetkemeyer
 Dent Lummis
 DeSantis Marchant
 DesJarlais Marino
 Diaz-Balart Massie
 Duffy McCarthy (CA)
 Duncan (SC) McCaul
 Duncan (TN) McClintock
 Ellmers McHenry
 Farenthold McKeon
 Fincher McKinley
 Fitzpatrick McMorris
 Fleischmann Rodgers
 Fleming Meadows
 Flores Meehan
 Forbes Messer
 Fortenberry Wagner
 Foxx Mica
 Franks (AZ) Miller (FL)
 Frelinghuysen Miller (MI)
 Gardner Miller, Gary
 Garrett Mullin
 Gerlach Mulvaney
 Gibbs Murphy (PA)
 Gingrey (GA) Neugebauer
 Gohmert Noem
 Goodlatte Nunes
 Gosar Nunnelee
 Gowdy Olson
 Owens

Titus Womack
 Tonko Woodall
 Tsongas
 Van Hollen
 Vargas
 Veasey
 Veasey
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultze
 Waters
 Smith (NJ)
 Smith (WA)
 Waxman
 Welch
 Wilson (FL)
 Yarmuth

□ 1106

Mr. TIPTON and Mrs. KIRKPATRICK changed their vote from “aye” to “no.” Messrs. COHEN, CUELLAR, and VELA changed their vote from “no” to “aye.”

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. TONKO
 The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.
 The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
 The CHAIR. This is a 2-minute vote. The vote was taken by electronic device, and there were—ayes 176, noes 239, not voting 18, as follows:

[Roll No. 416]
 AYES—176

Andrews Ellison
 Bass Engel
 Beatty Enyart
 Becerra Eshoo
 Bera (CA) Esty
 Bishop (NY) Farr
 Blumenauer Patah
 Bonamici Foster
 Brady (PA) Frankel (FL)
 Braley (IA) Gabbard
 Brownley (CA) Gallego
 Bustos Garamendi
 Butterfield Garcia
 Capps Gibson
 Capuano Grayson
 Cárdenas Green, Al
 Carney Grijalva
 Carson (IN) Gutiérrez
 Cartwright Hahn
 Castor (FL) Hastings (FL)
 Castro (TX) Heck (WA)
 Chu Higgins
 Cicilline Hinojosa
 Clarke Honda
 Clay Hoyer
 Cleaver Huffman
 Clyburn Isreal
 Cohen Jackson Lee
 Connolly Jeffries
 Conyers Johnson (GA)
 Cooper Johnson, E. B.
 Courtney Kaptur
 Upton Keating
 Valadao Cummings
 Wagner Kelly (IL)
 Davis (CA) Kennedy
 Davis, Danny Kildee
 DeFazio Kilmer
 DeGette Kuster
 Delaney Langevin
 DeLauro Larsen (WA)
 DelBene Larson (CT)
 Deutch Lee (CA)
 Dingell Levin
 Doggett Lewis
 Doyle Lipinski
 Duckworth Loeb sack
 Edwards Lofgren

Young (AK) Sánchez, Linda
 Young (IN) T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter

NOES—239

Aderholt Gowdy
 Alexander Granger
 Amash Graves (GA)
 Amodei Graves (MO)
 Bachmann Green, Gene
 Bachus Griffin (AR)
 Barber Griffith (VA)
 Barr Grimm
 Barrow (GA) Guthrie
 Barton Hall
 Benishek Hanna
 Bentivolio Harper
 Bilirakis Harris
 Bishop (GA) Hartzler
 Bishop (UT) Hastings (WA)
 Black Heck (NV)
 Blackburn Hensarling
 Bonner Holding
 Boustany Huelskamp
 Brady (TX) Huizenga (MI)
 Bridenstine Hultgren
 Brooks (AL) Hunter
 Brooks (IN) Hurt
 Broun (GA) Issa
 Buchanan Jenkins
 Bucshon Johnson (OH)
 Burgess Johnson, Sam
 Calvert Jones
 Camp Jordan
 Cantor Joyce
 Capito Kelly (PA)
 Carter Kind
 Cassidy King (IA)
 Chabot King (NY)
 Chaffetz Kingston
 Coble Kinzinger (IL)
 Coffman Kirkpatrick
 Cole Kline
 Collins (GA) Labrador
 Collins (NY) LaMalfa
 Conaway Lamborn
 Cook Lance
 Costa Lankford
 Cotton Latham
 Cramer Latta
 Crawford LoBiondo
 Crenshaw Long
 Cuellar Lucas
 Culberson Luetkemeyer
 Daines Lummis
 Davis, Rodney Marchant
 Denham Marino
 Dent Massie
 DeSantis Matheson
 DesJarlais McCarthy (CA)
 Diaz-Balart McCaul
 Duffy McClintock
 Duncan (SC) McHenry
 Duncan (TN) McKeon
 Ellmers McKinley
 Farenthold McMorris
 Fincher Rodgers
 Fitzpatrick Pastor (AZ)
 Fleischmann Payne
 Fleming Perlmutter
 Flores Peters (CA)
 Forbes Peters (MI)
 Fortenberry Pingree (ME)
 Foxx Pocan
 Franks (AZ) Polis
 Frelinghuysen Price (NC)
 Fudge Quigley
 Gardner Rangel
 Garrett Richmond
 Gerlach Roybal-Allard
 Gibbs Ruiz
 Gingrey (GA) Ruppberger
 Gohmert Rush
 Goodlatte Ryan (OH)
 Gosar Sherman
 Sires
 Slaughter
 Smith (WA)
 Speier
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Tierney
 Titus
 Tonko
 Tsongas
 Van Hollen

Perry
 Peterson
 Petri
 Pittenger
 Pitts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Radel
 Rahall
 Reed
 Reichert
 Renacci
 Ribble
 Rice (SC)
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rooney
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Royce
 Runyan
 Ryan (WI)
 Salmon
 Sanford
 Scalise
 Schock
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Sinema
 Smith (MO)
 Smith (NE)
 Smith (TX)
 Southerland
 Stewart
 Stivers
 Stockman
 Stutzman
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner
 Upton
 Valadao
 Vela
 Visclosky
 Wagner
 Walberg
 Walden
 Walorski
 Webster (FL)
 Wenstrup
 Westmoreland
 Whitfield
 Williams
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (IN)

NOT VOTING—18

Barletta	Holt	Nugent
Brown (FL)	Horsford	Pallone
Campbell	Hudson	Pelosi
Hanabusa	McCarthy (NY)	Rokita
Herrera Beutler	McIntyre	Smith (NJ)
Himes	Messer	Young (FL)

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1110

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MCINTYRE. Mr. Chair, on rollcall Nos. 415 Waxman Amend, and 416 Tonko Amend, had I been present, I would have voted "yes" on both.

The CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. BISHOP of Utah, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2218) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, and, pursuant to House Resolution 315, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1115

MOTION TO RECOMMIT

Ms. MCCOLLUM. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Ms. MCCOLLUM. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. MCCOLLUM moves to recommit the bill, H.R. 2218 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Page 7, after line 14, insert the following new clause:

“(i) PROTECTING DRINKING WATER AND THE GREAT LAKES.—The implementing agency shall require that all wet disposal structures meet criteria for design, construction, operation, and maintenance sufficient to prevent contamination of groundwater and sources of drinking water including the Great Lakes.

Mr. SHIMKUS. Mr. Speaker, I reserve a point of order against the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Speaker, this is the final amendment to the bill, which does not kill the bill or send it back to committee. If adopted, it will immediately proceed to final passage, as amended.

This bill is about coal ash. Coal ash is a toxic substance. It contains lead, selenium, mercury, cadmium, and arsenic. Coal ash is a deadly poison, and it must be kept out of America's drinking water.

This bill needlessly puts millions of Americans at risk by doing nothing to prevent coal ash from contaminating groundwater, surface water, and the greatest supply of freshwater on the Earth—the Great Lakes. The Great Lakes provide drinking water to more than 30 million people. Over 1.5 million jobs are connected to the Great Lakes and more than \$60 billion in annual wages.

My amendment protects the Great Lakes from improper and dangerous storage of coal ash. This amendment “requires that all wet disposal structures meet criteria for design, construction, operation, and maintenance sufficient to prevent contamination of surface and groundwater.” This amendment recognizes that the Great Lakes are unique.

Mayors and Governors in eight States are working together to maintain this vital ecosystem and economy for families, businesses, and future generations—even while this House considers an 80 percent cut to the Great Lakes Restorative Initiative.

In addition, the Federal Government coordinates our efforts to protect, conserve, and restore the Great Lakes with our partner, Canada.

The great United States has both a national and international interest in keeping these lakes clean and safe. Protecting the Great Lakes should be a priority for this Congress. I am certain it's a priority for the 30 million people who drink Great Lakes water. Without this amendment, they will be at risk of drinking cancer-causing toxins. Right now, coal ash is placed in unlined ponds, some that are leaking, leaching, and spilling into our soils, lakes, rivers, and aquifers.

In 2011, near Milwaukee, a bluff collapsed, sending a utility company's coal ash directly into Lake Michigan. Residents could no longer drink their local water because of severe health threats imposed by the coal ash.

Should a utility company be able to store tons and tons of coal ash in an unregulated ravine? The answer is, simply, “no.”

Unless Congress changes how coal ash is stored, the Great Lakes and America's drinking water will continue to be at risk. Congress can do something right here, right now by passing this amendment.

If you want clean and safe drinking water, vote for this amendment. If you want to protect the Great Lakes, vote for this amendment. And if you want to protect recreation, manufacturing, and service jobs, vote for this amendment. If you have the courage to stand up to the polluters and say no longer will I allow coal ash to be inadvertently put in our drinking water, causing cancer for millions of Americans, vote for this amendment.

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

Mr. SHIMKUS. Mr. Speaker, I withdraw my point of order, and I claim the time in opposition.

The SPEAKER pro tempore. The point of order is withdrawn.

The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, the basic premise of this bill is that the Federal Government can set safety standards and the States can enforce it, so reject the motion to instruct.

I am going to turn my comments to people who live in the coal areas of our country. Coal is just not a commodity product, it is, really, a way of lifestyle if you live in coal country.

I am a fourth-generation Lithuanian immigration family. My great-grandfather went directly into the coalfields. My grandfather went into the coal mines at age 10. He performed the job of a trapper.

In my hometown of Collinsville, Illinois, we have Miner's Theater; in a community up north, we have Miner's Park; and in Gillespie, Illinois, we have Black Diamond Days.

Coal is a culture. Coal is who we are. That is why I really appreciate my colleagues from West Virginia, DAVID MCKINLEY and SHELLEY MOORE CAPITO. There are some States in this Union that coal is their only job, and that's why they fight and they stand up for coal.

I remember being with the late Senator Byrd in a rally on The Mall to save coal jobs. He held up his hands and he said, “There's coal in these veins.” This was Senator Byrd—“There's coal in these veins.”

My colleagues and my friends, that's how we feel in coal-producing States in this country. It is part of who we are. It is our culture.

Now, don't think this is a passe debate. There's a young Iraqi vet named Jimmy Rose. You may have seen him. He's 32 years old. He's also a coal miner. He's competing on “America's Got Talent.” Do you know what his song is? His song is “Coal Keeps the Lights On.” He talks about feeding his

family. He talks about putting coal in the family household. He talks about that's their livelihood, that's their culture. It's an impassioned ballad for areas of our country that feel under attack, left behind, attacked by this administration.

Mayor Dietz from McLeansboro, Illinois, is happy when new coal is opening up. Coal is keeping the lights on in the small communities and the shops and stores for a community that's kind of been left behind for 40 years. He's excited about the jobs and the tax base that's coming because of coal.

I'm asking you, my colleagues, to stand up for coal, because coal keeps the lights on. I request that you reject this amendment and support the underlying bill, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Ms. MCCOLLUM. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on the question on passage of the bill, if ordered, and the question on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 192, noes 225, answered "present" 1, not voting 15, as follows:

[Roll No. 417]

AYES—192

Andrews	Cuellar	Higgins
Barber	Cummings	Hinojosa
Barrow (GA)	Davis (CA)	Honda
Bass	Davis, Danny	Hoyer
Beatty	DeFazio	Huffman
Becerra	DeGette	Israel
Bera (CA)	Delaney	Jackson Lee
Bishop (GA)	DeLauro	Jeffries
Bishop (NY)	DelBene	Johnson (GA)
Blumenauer	Deutch	Johnson, E. B.
Bonamici	Dingell	Kaptur
Brady (PA)	Doggett	Keating
Bralley (IA)	Doyle	Kelly (IL)
Brownley (CA)	Duckworth	Kennedy
Bustos	Edwards	Kildee
Butterfield	Ellison	Kilmer
Capps	Engel	Kind
Capuano	Enyart	Kirkpatrick
Cárdenas	Eshoo	Kuster
Carney	Esty	Langevin
Carson (IN)	Farr	Duncan (SC)
Cartwright	Fattah	Duncan (TN)
Castor (FL)	Foster	Ellmers
Castro (TX)	Frankel (FL)	Lee (CA)
Chu	Fudge	Levin
Cicilline	Gabbard	Lewis
Clarke	Gallego	Lipinski
Clay	Garamendi	Loeb
Cleaver	Garcia	Lofgren
Clyburn	Grayson	Lowenthal
Cohen	Green, Al	Lowe
Connolly	Green, Gene	Lujan Grisham
Conyers	Grijalva	(NM)
Cooper	Gutiérrez	Luján, Ben Ray
Costa	Hahn	(NM)
Courtney	Hastings (FL)	Lynch
Crowley	Heck (WA)	Maffei

Maloney,	Peters (CA)	Shea-Porter
Carolyn	Peters (MI)	Sherman
Maloney, Sean	Peterson	Sinema
Matheson	Pingree (ME)	Slaughter
Matsui	Pocan	Smith (WA)
McCollum	Polis	Speier
McDermott	Price (NC)	Swalwell (CA)
McGovern	Quigley	Takano
McIntyre	Rahall	Thompson (CA)
McNerney	Rush	Thompson (MS)
Meeks	Rangel	Tierney
Meng	Richmond	Titus
Michaud	Roybal-Allard	Tonko
Miller, George	Ruiz	Tsongas
Moore	Ruppersberger	Van Hollen
Moran	Rush	Vargas
Murphy (FL)	Ryan (OH)	Veasey
Nadler	Sánchez, Linda	Vela
Napolitano	T.	Velázquez
Neal	Sanchez, Loretta	Visclosky
Negrete McLeod	Sarbanes	Walz
Nolan	Schakowsky	Wasserman
O'Rourke	Schiff	Schultz
Owens	Schneider	Schrader
Pascarell	Schwartz	Watt
Pastor (AZ)	Scott (VA)	Waxman
Payne	Scott, David	Welch
Pelosi	Serrano	Wilson (FL)
Perlmutter	Sewell (AL)	Yarmuth

NOES—225

Aderholt	Gibbs	Mica
Alexander	Gibson	Miller (FL)
Amash	Gingrey (GA)	Miller (MI)
Amodei	Gohmert	Miller, Gary
Bachmann	Goodlatte	Mullin
Bachus	Gosar	Mulvaney
Barr	Gowdy	Murphy (PA)
Barton	Granger	Neugebauer
Bentivolio	Graves (GA)	Noem
Bilirakis	Graves (MO)	Nugent
Bishop (UT)	Griffin (AR)	Nunnelee
Black	Griffith (VA)	Olson
Blackburn	Grimm	Palazzo
Bonner	Guthrie	Paulsen
Boustany	Hall	Pearce
Brady (TX)	Hanna	Perry
Bridenstine	Harper	Petri
Brooks (AL)	Harris	Pittenger
Brooks (IN)	Hartzler	Pitts
Broun (GA)	Hastings (WA)	Poe (TX)
Buchanan	Heck (NV)	Pompeo
Bucshon	Hensarling	Posey
Burgess	Holding	Price (GA)
Calvert	Hudson	Radel
Camp	Huelskamp	Reed
Cantor	Huizenga (MI)	Reichert
Capito	Hultgren	Renacci
Carter	Hunter	Ribble
Cassidy	Hurt	Rice (SC)
Chabot	Issa	Rigell
Chaffetz	Jenkins	Roby
Coble	Johnson (OH)	Roe (TN)
Coffman	Johnson, Sam	Rogers (AL)
Cole	Jones	Rogers (KY)
Collins (GA)	Jordan	Rogers (MI)
Collins (NY)	Joyce	Rohrabacher
Conaway	Kelly (PA)	Rooney
Cook	King (IA)	Ros-Lehtinen
Cotton	King (NY)	Roskam
Cramer	Kingston	Ross
Crawford	Kinzinger (IL)	Rothfus
Crenshaw	Kline	Royce
Culberson	Labrador	Runyan
Keating	LaMalfa	Ryan (WI)
Kelly (IL)	Lamborn	Salmon
Daines	Lance	Sanford
Davis, Rodney	Lankford	Scalise
Duffy	Latham	Schock
Duncan (SC)	Latta	Schweikert
Duncan (TN)	LoBiondo	Scott, Austin
Ellmers	Long	Sensenbrenner
Farenthold	Lucas	Sessions
Fincher	Luetkemeyer	Shimkus
Fischer	Lummis	Shuster
Fitzpatrick	Marchant	Simpson
Fleischmann	Marino	Smith (MO)
Fleming	Massie	Smith (NE)
Flores	McCarthy (CA)	Smith (NJ)
Forbes	McCaul	Smith (TX)
Fortenberry	McClintock	Southerland
Fox	McHenry	Stewart
Frank (AZ)	McKeon	Stivers
Frelinghuysen	McKinley	Stockman
Gardner	McMorris	Stutzman
Garrett	Rodgers	Terry
Gerlach	Meadows	Thompson (PA)
	Meehan	Thornberry
	Messer	Tiberi

Tipton	Weber (TX)	Womack
Turner	Webster (FL)	Woodall
Upton	Wenstrup	Yoder
Valadao	Westmoreland	Yoho
Wagner	Whitfield	Young (AK)
Walberg	Williams	Young (IN)
Walden	Wilson (SC)	
Walorski	Wittman	

ANSWERED "PRESENT"—1

Benishek

NOT VOTING—15

Barletta	Himes	Pallone
Brown (FL)	Holt	Rokita
Campbell	Horsford	Sires
Hanabusa	McCarthy (NY)	Wolf
Herrera Beutler	Nunes	Young (FL)

□ 1129

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HIMES. Mr. Speaker, on Thursday, July 25, 2013, I was unable to be present for rollcall votes 415, 416 and 417 on H.R. 2218. Had I been present, I would have voted: "yea" on rollcall vote 415, "yea" on rollcall vote 416, "yea" on rollcall vote 417.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 265, noes 155, not voting 13, as follows:

[Roll No. 418]

AYES—265

Aderholt	Collins (GA)	Gingrey (GA)
Alexander	Collins (NY)	Gohmert
Amash	Conaway	Goodlatte
Amodei	Cook	Gosar
Bachmann	Costa	Gowdy
Bachus	Cotton	Granger
Barber	Cramer	Graves (GA)
Barr	Crawford	Graves (MO)
Barrow (GA)	Crenshaw	Green, Gene
Barton	Cuellar	Griffin (AR)
Beatty	Culberson	Griffith (VA)
Benishek	Daines	Grimm
Bentivolio	Davis, Danny	Guthrie
Bilirakis	Davis, Rodney	Hall
Bishop (GA)	Denham	Hanna
Bishop (UT)	Dent	Harper
Black	DeSantis	Harris
Blackburn	DesJarlais	Hartzler
Bonner	Diaz-Balart	Hastings (WA)
Boustany	Doyle	Heck (NV)
Brady (PA)	Duffy	Hensarling
Brady (TX)	Duncan (SC)	Holding
Bridenstine	Duncan (TN)	Hudson
Brooks (AL)	Ellmers	Huelskamp
Brooks (IN)	Enyart	Huizenga (MI)
Broun (GA)	Farenthold	Hultgren
Buchanan	Fincher	Hunter
Bucshon	Fitzpatrick	Hurt
Burgess	Fleischmann	Issa
Bustos	Fleming	Jenkins
Calvert	Flores	Johnson (OH)
Camp	Forbes	Johnson, Sam
Cantor	Fortenberry	Jones
Capito	Fox	Jordan
Carter	Franks (AZ)	Joyce
Cassidy	Frelinghuysen	Kaptur
Chabot	Fudge	Kelly (PA)
Chaffetz	Gallego	Kind
Clay	Gardner	King (IA)
Clyburn	Garrett	King (NY)
Coble	Gerlach	Kingston
Coffman	Gibbs	Kinzinger (IL)
Cole	Gibson	Kirkpatrick

Kline	Owens	Sensenbrenner	Waters	Welch	Yarmuth
Labrador	Palazzo	Sessions	Watt	Wilson (FL)	
LaMalfa	Pastor (AZ)	Shimkus	Waxman	Wolf	
Lamborn	Paulsen	Shuster			
Lance	Pearce	Simpson		NOT VOTING—13	
Lankford	Perlmutter	Smith (MO)	Barletta	Holt	Serrano
Latham	Perry	Smith (NE)	Brown (FL)	Horsford	Sires
Latta	Peterson	Smith (NJ)	Campbell	McCarthy (NY)	Young (FL)
LoBiondo	Pittenger	Smith (TX)	Hanabusa	Pallone	
Loeback	Pitts	Southerland	Herrera Beutler	Rokita	
Long	Poe (TX)	Stewart			
Lucas	Pompeo	Stivers			
Luetkemeyer	Posey	Stockman			
Lummis	Price (GA)	Stutzman			
Maloney, Sean	Radel	Terry			
Marchant	Rahall	Thompson (MS)			
Marino	Reed	Thompson (PA)			
Massie	Reichert	Thornberry			
Matheson	Renacci	Tiberi			
McCarthy (CA)	Ribble	Tipton			
McCaul	Rice (SC)	Turner			
McClintock	Richmond	Upton			
McHenry	Rigell	Valadao			
McIntyre	Roby	Vargas			
McKeon	Roe (TN)	Vela			
McKinley	Rogers (AL)	Visclosky			
McMorris	Rogers (KY)	Wagner			
Rodgers	Rogers (MI)	Walberg			
Meadows	Rohrabacher	Walden			
Meehan	Rooney	Walorski			
Messer	Ros-Lehtinen	Walz			
Mica	Roskam	Weber (TX)			
Miller (FL)	Ross	Webster (FL)			
Miller (MI)	Rothfus	Wenstrup			
Miller, Gary	Royce	Westmoreland			
Moore	Runyan	Whitfield			
Mullin	Ryan (OH)	Williams			
Mulvaney	Ryan (WI)	Wilson (SC)			
Murphy (PA)	Salmon	Wittman			
Neugebauer	Sanford	Womack			
Noem	Scalise	Woodall			
Nolan	Schock	Yoder			
Nugent	Schrader	Yoho			
Nunes	Schweikert	Young (AK)			
Nunnelee	Scott, Austin	Young (IN)			
Olson	Scott, David				

NOES—155

Andrews	Grayson	Moran
Bass	Green, Al	Murphy (FL)
Becerra	Grijalva	Nadler
Bera (CA)	Gutiérrez	Napolitano
Bishop (NY)	Hahn	Neal
Blumenauer	Hastings (FL)	Negrete McLeod
Bonamici	Heck (WA)	O'Rourke
Bralley (IA)	Higgins	Pascrell
Brownley (CA)	Himes	Payne
Butterfield	Hinojosa	Pelosi
Capps	Honda	Peters (CA)
Capuano	Hoyer	Peters (MI)
Cárdenas	Huffman	Petri
Carney	Israel	Pingree (ME)
Carson (IN)	Jackson Lee	Pocan
Cartwright	Jeffries	Polis
Castor (FL)	Johnson (GA)	Price (NC)
Castro (TX)	Johnson, E. B.	Quigley
Chu	Keating	Rangel
Ciilline	Kelly (IL)	Roybal-Allard
Clarke	Kennedy	Ruiz
Cleaver	Kildee	Ruppersberger
Cohen	Kilmer	Rush
Connolly	Kuster	Sánchez, Linda
Conyers	Langevin	T.
Cooper	Larsen (WA)	Sanchez, Loretta
Courtney	Larson (CT)	Sarbanes
Crowley	Lee (CA)	Schakowsky
Cummings	Levin	Schiff
Davis (CA)	Lewis	Schneider
DeFazio	Lipinski	Schwartz
DeGette	Lofgren	Scott (VA)
Delaney	Lowenthal	Sewell (AL)
DeLauro	Lowey	Shea-Porter
DelBene	Lujan Grisham	Sherman
Deutch	(NM)	Sinema
Dingell	Luján, Ben Ray	Slaughter
Doggett	(NM)	Smith (WA)
Duckworth	Lynch	Speier
Edwards	Maffei	Swalwell (CA)
Ellison	Maloney,	Takano
Engel	Carolyn	Thompson (CA)
Eshoo	Matsui	Tierney
Esty	McCollum	Titus
Farr	McDermott	Tonko
Fattah	McGovern	Tsongas
Foster	McNerney	Van Hollen
Frankel (FL)	Meeks	Veasey
Gabbard	Meng	Velázquez
Garamendi	Michaud	Wasserman
Garcia	Miller, George	Schultz

Waters
Watt
Waxman

Welch
Wilson (FL)
Wolf

Yarmuth

Barletta
Brown (FL)
Campbell
Hanabusa
Herrera Beutler

Holt
Horsford
McCarthy (NY)
Pallone
Rokita

Serrano
Sires
Young (FL)

□ 1139

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PETRI. Mr. Speaker, during rollcall 418 on final passage of H.R. 2218, the Coal Residuals Reuse and Management Act of 2013, I incorrectly recorded my vote as "no." I intended to vote "yes."

PERSONAL EXPLANATION

Mr. BARLETTA. Mr. Speaker, on rollcall No. 415 on the Waxman amendment, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 416 on the Tonko amendment, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 417 on the Motion to Recommit, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 418 on final passage of H.R. 2218, the Coal Residuals Reuse and Management Act of 2013, I am not recorded. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. HOLT. Mr. Speaker, I missed the following votes during this week:

On rollcall vote 375, on Passage of H.R. 1542, I would have voted "aye."

On rollcall vote 376, on Passage of H. Con. Res. 44, I would have voted "aye."

On rollcall vote 377, on Ordering the Previous Question to H. Res. 312, I would have voted "aye."

On rollcall vote 378, on Agreeing to H. Res. 312, I would have voted "no."

On rollcall vote 379, Gabbard amendment to H.R. 2397, I would have voted "nay."

On rollcall vote 380, Blumenauer amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 381, Polis amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 382, Blumenauer amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 383, Nugent amendment to H.R. 2397, I would have voted "nay."

On rollcall vote 384, Nadler amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 385, Moran amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 386, Poe amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 387, Walberg amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 388, Ciilline amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 389, Cohen amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 390, Coffman amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 391, Garamendi amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 392, Fleming amendment to H.R. 2397, I would have voted "nay."

On rollcall vote 393, Rigell amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 394, Flores amendment to H.R. 2397, I would have voted "nay."

On rollcall vote 395, DeLauro amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 396, Lee amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 397, Quigley amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 398, Denham amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 415, on agreeing to the Waxman amendment, I would have voted "aye."

On rollcall vote 416, on agreeing to the Tonko amendment, I would have voted "aye."

On rollcall vote 417, on Democratic Motion to Recommit H.R. 2218, I would have voted "aye."

On rollcall vote 418, on Passage of H.R. 2218, I would have voted "no."

THE JOURNAL

The SPEAKER pro tempore (Mr. MEADOWS). Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

GENERAL LEAVE

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 2218.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1092. An act to designate the air route traffic control center located in Nashua, New Hampshire, as the "Patricia Clark Boston Air Route Traffic Control Center".

□ 1145

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the majority leader, Mr. CANTOR of Virginia, for the purpose of inquiring as to the schedule for the week to come.

Mr. CANTOR. I thank the Democratic whip for yielding.

Mr. Speaker, on Monday, the House is not in session.

On Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of bills under suspension of the rules, a complete list of which will be announced by the close of business tomorrow.

Yesterday, Mr. Speaker, the Senate acted on the student loan bill the House passed last month, and I expect the House to deal with it promptly next week. In addition, I expect to consider H.R. 2610, the Fiscal Year 2014 Transportation, Housing and Urban Development Appropriations Act, authored by Representative TOM LATHAM.

Mr. Speaker, Members are advised that the House will begin consideration of this bill on Tuesday afternoon and should be prepared to offer amendments at the appropriate time in the reading of the bill. Members are further advised that the 6:30 p.m. vote series that day could be longer than normal.

For the remainder of the week, Mr. Speaker, the House will consider a number of bills to restrain a runaway government and re-empower our citizens. To stop government abuse and protect the middle class, we will first bring a number of bipartisan bills to the floor under suspension of the rules on Wednesday. Following that, we will debate two bills pursuant to rules focusing again on stopping government abuse and protecting the middle class.

The first, H.R. 367, the REINS Act, sponsored by Representative TODD YOUNG, requires congressional approval of regulations that cost over \$100 million. The second, H.R. 2009, the Keep the IRS Off Your Health Care Act, sponsored by Representative TOM PRICE, prevents the IRS from implementing any portion of ObamaCare. When Federal bureaucrats abuse their power and waste taxpayer dollars, liberty is eroded, the economy is slowed, and the rule of law betrayed.

I thank the gentleman.

Mr. HOYER. I thank the gentleman for his information.

I don't see on the schedule, Mr. Speaker, that we are going to a budget conference. At least there's no notice from the majority leader of that fact. Mr. Speaker, as you know, we are facing a number of critical deadlines. It has now been 125 days since the House passed a budget and 123 days since the Senate passed a budget. On issue after issue, our Republican colleagues, Mr. Speaker, have passed bills and then refused to negotiate. Mr. Speaker, it's past time for action. We should go to conference and reach an agreement. I would urge my friend, the majority leader, Mr. Speaker, to go to conference.

One of his colleagues, Mr. Speaker, from Virginia said this: "I am proudly on record about this. I believe we need to go to conference," speaking of the budget. This Member went on to say, "I have listened carefully to the argu-

ment that we should not go to conference, and frankly I do not find it compelling."

Mr. Speaker, that was Representative SCOTT RIGELL of Virginia.

I would ask my friend, the majority leader, does the gentleman expect that we will go to conference at all on the budget?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for his tenacity, as this is a weekly discussion between he and I, and I'm delighted to respond to say to the gentleman, Mr. Speaker, that it is something that we should commit ourselves to working out. But as the gentleman knows, the position of the majority is that we don't want to enter into discussions if the prerequisite is you have to raise taxes.

The gentleman has heard me every week on this issue in that we believe strongly you fix the problem of overspending and you reform the programs needing reform to address unfunded liabilities first. Then, if the gentleman is insistent that the taxpayers need to pay more of their hard-earned dollars into Washington, that discussion, perhaps, is appropriate. But as a prerequisite for entering budget talks that we agree to raise taxes is not something, I think, that the American people want this body to engage in.

Mr. HOYER. I thank the gentleman for his comment.

Mr. Speaker, the gentleman's premise is absolutely incorrect, and the American people ought to know that. The Senate hasn't voted to go to conference because the Republican Members of the United States Senate won't vote to go to conference. There was nothing in that motion, however, that said there was a prerequisite that the House agreed to anything, Mr. Speaker. Nothing.

Now, my friend, the majority leader, Mr. Speaker, has said repeatedly that we have a prerequisite. We have a difference of opinion. That's what democracy is about. There's no prerequisite. There's no precondition. There's no condition precedent, as we lawyers say, for going to conference. Number one, the Senate couldn't make us agree. That's what conferences are about, Mr. Speaker. They're about coming together and understanding there are differences. There would be no need for a conference if there weren't differences. There are differences.

We're \$91 billion apart, Mr. Speaker, on our budgets. We are 14 days away from the end of this fiscal year, Mr. Speaker, in terms of legislative days available to us to get to a compromise, to get to a number, to get to some understanding of how we are going to ensure that government operations continue. There's no prerequisite. There's no precondition. I don't know where that comes from, Mr. Speaker. I've heard it a lot. I have no idea where it comes from.

Nothing the Senate does can force this body, Republicans or Democrats,

to do something. What they have asked is come to the table and talk. There has been a refusal to do that, Mr. Speaker, and it's bad for the country.

A \$91 billion difference between us on budgets has to be resolved somehow, some way. And the way democracies do it and the way the legislature does it, Mr. Speaker is to meet and try to resolve those differences. Now, you can divide the differences in half. The Senate comes down 46, we go up 45. My own view is Mr. RYAN believes there's nothing he will agree to. I'll get to that a little later, Mr. Speaker. That's why we're not going to conference, and he said so in the paper. He didn't say it about the conference, but I'll get to his quote in just a second.

Mr. Speaker, the majority leader mentioned that the T-HUD appropriation bill is on the floor next week. So far, Mr. Speaker, we are now essentially going to be at the end of the session before the August break coming next week on Friday, and we've done four appropriation bills. The House T-HUD bill of which the majority leader speaks, Mr. Speaker, is 17 percent below the Budget Control Act that we agreed on. Not only that, Mr. Speaker, it's 9 percent below the sequester level.

Now, we're not going to vote for it, Mr. Speaker. We believe it badly underfunds, transportation, housing, and infrastructure in this country, but this performance makes some sense considering the lack of regular order. We talk about regular order, but we don't follow it. Going to conference is regular order. It doesn't change the fact, however, that we just have 14 days left to go and that we need to reach agreement.

I will tell my friend, the majority leader, Mr. Speaker, that we are willing to work together. We have been willing to compromise. We have compromised. In every one of these agreements we've reached, we've compromised. My friend, the majority leader, would say, yes, and they have, as well. But you cannot compromise if you don't sit down.

I will tell you nobody has called me to ask me how I believe we can get to the end of this year with a continuing resolution. Nobody's asked me that. I talked to Mr. RYAN and Mr. VAN HOLLEN. Mr. RYAN has not talked to Mr. VAN HOLLEN. With all due respect to this discussion about their talking, they're not talking. I talked to Senator MURRAY. No discussion of how we resolve the differences. I talked to the chair of the Appropriations Committee, both the ranking member here, Mrs. LOWEY, and the chair on the Senate side, Senator MIKULSKI. Nobody is talking to them about how we resolve the question at the end of next month. And we won't be here at the end of next month. We're in session 2 weeks in September.

I want to use a quote:

But we should not pass a continuing resolution, and I will not vote for a continuing resolution unless we talk about preconditions for going to conference.

Talk about preconditions. Talk about demands and ultimatums:

I will not vote for a continuing resolution unless it defunds ObamaCare for the period of time of the continuing resolution.

Nobody in America believes that's going to be done. A lot of people, I know the majority leader would tell me, want it done. But we had an election. The President won. He won't sign the defunding of ObamaCare because he believes it's in the best interest of the health of our people and the welfare of our country, and, yes, even job creation and economic growth. But MARCO RUBIO says he won't vote for a continuing resolution unless it does something that's not going to happen. The majority leader, Mr. Speaker, said they weren't going to go to conference—another ultimatum—unless the Senate abandoned its point of view. The Senate has a right to its point of view. We have a right to our point of view. We need to discuss it. That's the way you get things done in a democracy, Mr. Speaker.

Mr. Speaker, I want to ask the majority leader, Does the gentleman expect that we will go to conference at all, at any time on the budget?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding. I appreciate his question.

I would note for the record that I believe, if I have my facts correct, that during the time that the gentleman was in the majority last, the last Congress, the 111th, 48 times there was an avoidance of going to conference. All of the sudden the gentleman says that that's the panacea.

So I would tell the gentleman, given his litany of examples of who's talking to whom around here, there is a lot of talk about how we resolve our differences. In fact, I do know that Chairman RYAN is talking to Chairman MURRAY across the Capitol of how we go forward. But I would underscore again to the gentleman that it is not our intention to discuss taking more hard-earned taxpayer dollars from Americans while we have not fixed the problem they expect us to fix.

I'd also say to the gentleman that as far as appropriation bills are concerned, he is correct that I did announce that the T-HUD bill would be coming to the floor next week, and it will be the fifth bill that we will do prior to the August work period. I would remind the gentleman that when he was last in the position of the majority, the appropriations bills did not come to the floor under an open process. In fact, there were structured rules on every one, if my memory serves me well. It's much easier that way to shut out diverse opinion. But instead, the Speaker has this Congress insist that we have an open process and allow for robust debate on some of the very difficult issues. The gentleman knows we have been true to that word.

So I remind the gentleman that, yes, there is a commitment to open process;

there is a commitment here to trying to resolve these challenges before us. The gentleman is correct, we're going to have a very busy fall trying to address the needs of this country, whether it is the spending and budget needs or whether it is the needs of the middle class families who are struggling out there every single day wondering when the economy is going to pick up, wondering what's going to happen to their health care.

□ 1200

We have a looming ObamaCare law that already the administration has admitted is threatening job growth. Therefore, they offer relief to businesses but refuse to do so for working people. We don't think that's too fair. We have Democratic union leaders who have said that this law is going to provide and has already created nightmare scenarios for millions of working Americans insofar as their health care and economic well-being are concerned. There are real issues to be resolved, Mr. Speaker, and I do hope that the gentleman will abide by what I know he has always been for, and that's solving problems. I do hope that he will work with us to do that in the coming months.

Mr. HOYER. Mr. Speaker, I appreciate the gentleman's recitation of history. Let me remind him, the first year I was majority leader, all 12 appropriations bills passed the House prior to the August break—all 12. That also happened the third year. It didn't happen the second year when we had a lot of political delays. And the reason we went to structured rules, as the gentleman I'm sure recalls, because we had filibuster by amendment. We had delay and obstruction in 2007, just as we have delay and obstruction today, just as there is a refusal today to go to conference. Over 120 days after both Houses have passed their budgets, we still have refusal to go to conference. That is why you can't get agreement.

The gentleman characterizes, I think Mr. RYAN has talked to Senator MURRAY, and I will tell you that Senator MURRAY does not believe it was a very long discussion or a very substantive discussion because—and you talk about Mr. RYAN. I've got a quote of his I know you'll like that I want to get to because it makes the point I'm making. I was going to make it a little later.

PAUL RYAN, when asked about Senate Republicans' plan to work with Democrats to address the debt ceiling, said:

It doesn't matter. We're not going to do what they want to do. It doesn't really matter what they do. It doesn't matter what JOHN MCCAIN and others do on the taxes and the rest. If they want to give up taxes for the sequester, we're not going to do that. So that doesn't really affect us.

But, oh, it does affect us because, Mr. Speaker, if we can't get agreement, those American folks of which the majority leader just spoke who are looking for jobs, who want to see this econ-

omy grow, who are suffering because of gridlock, who have a lack of confidence because this Congress does not work—the most dysfunctional Congress in which I have served, and I've been here 33 years, the least productive Congress in which I've served. Mr. Speaker, that's what we need to be doing.

MIKE LEE, another Republican in the Senate talking about trying to get to agreement: "If Republicans in both Houses simply refuse"—and this is their strategy, Mr. Speaker. "If Republicans in both Houses simply refuse to vote for any continuing resolution that contains further funding for further enforcement of ObamaCare"—and I understand the gentleman is opposed to it. He was opposed to it before the election. Mr. Romney was opposed to it. We had an election, and you didn't win that argument at the national level. I say that Mr. Obama won that argument. But Senator LEE says he will not vote for a CR if it includes "further funding for further enforcement of ObamaCare. We can stop it. We can stop the individual mandate from going into effect." How? By shutting down government.

That's their strategy. We don't think that's a good strategy, Mr. Speaker. We think that's a bad strategy. We don't want to see that. We're prepared to work together to compromise. Nobody believes, just as the gentleman has said he's not going to agree to tax increases—I understand what he's saying, so we'll have to compromise on that somewhere along the road when we sit down. But nobody believes that either we on this side are going to compromise or the President's going to compromise after an election, after being reelected on a health care program that is benefiting millions and millions of people right now, nobody believes we're going to compromise on that. Thirty-nine times they've tried to repeal it in one form or another. It's failed. We've got to come to grips on that.

Now, one of the House Members, MICK MULVANEY from South Carolina, said:

It is completely appropriate to use the debt ceiling or the CR to ask for some changes that reduce the burdens of this law on Americans.

Now, they've offered that 38, 39 times. It's not going to happen. But apparently their strategy is: We're prepared to shut down government unless they will be bludgeoned into agreeing by doing it our way; if we don't do it our way, apparently we're not going to do it any way.

That's what the budget conference is about, and that's what this debate is about.

Now, PAT TOOMEY, Senator TOOMEY, on the other hand, said this, Mr. Speaker:

This has been the way we've been operating for a couple of years now.

This is Senator PAT TOOMEY, former chair of the Club for Growth, said:

It's a disaster. It's a terrible way to run government.

Senator TOOMEY and I don't always agree, but we agree very emphatically on that.

Congressman TOM COLE, former chairman of the Republican Committee, described the latest shutdown threat, which is what the previous three speakers had indicated—not PAT TOOMEY, but the three before that. TOM COLE described the latest shutdown threat as:

The political equivalent of throwing a temper tantrum.

That's TOM COLE, chairman of the Republican Campaign Committee, Mr. Speaker, not me.

We need to get past this “you won't do this; I won't do that” and figure out what we will do, I say to my friend, the majority leader, and we have 14 days to do it. We haven't gotten it done yet; and, frankly, we have nothing on the calendar for next week that shows that we're moving toward that end.

I would hope very sincerely that we could come to an agreement. And we're not going to come to an agreement on something that was so hard fought for the last 5 years, and we know that. We know you're probably not going to raise taxes, I tell my friend, the majority leader, Mr. Speaker. But the fact of the matter is that we need to come to an agreement. Americans expect us to come to an agreement.

With so few legislative days remaining before the fiscal year ends and the fact that we must address it in mind, I hope the gentleman can give us some clarity as to what Members can expect on the floor in September for the 9 days we're here in September since we're so far off course from regular order on the budget and the appropriations schedule.

Can Members expect to see a CR? And if so, does the gentleman have any idea what the CR will look like, what it will encompass, and what we can expect?

I want to say to my friend that we Democrats are prepared to cooperate in that effort. We're not going to—and the gentleman clearly knows that we're not going to—repeal the health care act. The election, we think, decided it. As a matter of, Speaker BOEHNER said that it decided it after the election. He said, well, the health care law has been confirmed. But I want to make it clear that we are willing to do some things.

We are not willing, however, to see the sequester cripple policies that this Congress has adopted. We're not willing to defund the Affordable Care Act. We're not willing to sacrifice our economic recovery to push the cost of deficit reduction onto those who can least afford it. We are not willing to shift more of the tax burden onto the backs of the middle class. We're not willing to target Medicare or Medicaid and education, or the deep cuts that were in the Labor, Health bill which has now been pulled. Apparently, we're not going to consider the Labor, Health bill. It's not on the schedule. It was supposed to be marked up today. It was pulled.

So I say to the gentleman, Mr. Speaker, that he and his colleagues should be willing to compromise on the few legislative days we have remaining; and if he is, he will have a willing partner in me and in Democrats because we believe we need to come to an agreement.

Now, lastly, let me speak on the debt ceiling. The majority leader, Mr. Speaker, has made it very clear he thinks not resolving the debt ceiling would be a bad policy for our country. In fact, I believe it would be disastrous for our country, for the economy, for every American, and for people around the world. We all know what happened last time; we were downgraded. It's the majority party's responsibility in each House to make sure that America's creditworthiness is not put at risk, that we pay our bills.

I'm hopeful, and I want to tell my friend that I'm prepared to work in tandem with the majority leader, Mr. Speaker, to pass a debt limit extension, and we will do so in an equal way so that whatever political consequences there are, we will take them together to do what the majority leader, Mr. Speaker, and the Speaker, and Mr. MCCONNELL, the leader in the Senate, have said is the responsible thing to do. We're prepared to take half of that responsibility with them. We would hope that they would join us in that effort.

Senator MCCAIN has said that some of my Republican colleagues are already saying we won't raise the debt limit again unless there is repeal of ObamaCare. Senator MCCAIN said, “I'd love to repeal ObamaCare.” He agrees with the majority leader. He goes on to say, “But I promised you, that's not going to happen.” That's on the debt limit.

The President has made it very clear it's not going to happen. We've made it very clear it's not going to happen.

Going on with Senator MCCAIN's quote:

So some would like to set up another one of these shut down the government threats, and most Americans are really tired of those kinds of shenanigans here in Washington.

That's Senator MCCAIN.

I've quoted Senator TOOMEY, Senator MCCAIN, who both believe we need to come to agreement. I have also, unfortunately, quoted Congressman RYAN, who says he doesn't care what Senator MCCAIN thinks; who, of course, was a candidate for President on the Republican ticket just a few years ago.

Mr. Speaker, I want to ask the majority leader whether he expects we will take an up-or-down vote on a clean debt limit extension when we return in September.

I yield to my friend.

Mr. CANTOR. I would say to the gentleman, the answer to that last question is no.

But I would say to the gentleman, the discussion the gentleman just had was so full of various and sundry issues, I don't know really where to begin, other than to say what I think is

lost in the gentleman's comments is the focus on the hardworking families and businesses of middle class America. It seems to me, Mr. Speaker, that the gentleman is full of “that's not going to happen” because Washington says that's not going to happen for political reasons.

And what we ought to be focused on is how we can act to solve the anxiety that seems to continue to grow on the part of the American public when they wonder about their job, they worry about their tuition costs, they worry about their children's education, they worry every night when they go to bed.

The gentleman is so sure that we can and can't do things for political reasons, the President is out giving campaign speeches, some of which we have heard dozens of times during the campaign season, that what all of us should be absolutely focused on is coming together not for political imperative, but to solve the problems to provide the relief to the middle class of this country that is asking us to do that.

So instead of the political demands and imperatives that the gentleman's list of issues was about, let's focus on the people that sent us here. Let's make sure that this body of any in Washington can begin to work for the people rather than the other way around.

Mr. HOYER. I have heard that answer, I think, more than the President has given the speeches that Mr. CANTOR refers to.

This party has always been, is now, and will be focused on the working people to which the majority leader refers.

□ 1215

The President asked us to pass a jobs bill. No jobs bill has been brought to this floor. I know that there are some bills that the Republican Party leader wants to say, Mr. Speaker, are jobs bills. But there's been no comprehensive jobs bill. There's none scheduled for next week.

But what the American people are really concerned about is their board of directors is not working. This isn't about Washington. This is about people who voted all over America. And the leader and his party made their point, and we had an election, not here in Washington, all over America. And America voted. And it hasn't made any difference on this floor.

Politics as usual. Confrontation as usual. Refusal to compromise as usual. Talk about regular order, but not going to conference, not going to conference on a budget, not going to conference on a farm bill, not going to conference on a Violence Against Women Act. We finally passed that.

So when the majority leader repairs to the fact that we want to focus on working people, he's absolutely right. We do want to focus on that. And the working people of America voted. They didn't all vote for my side. But as I told the majority leader last week, 1,400,000 of them more voted for our side than voted for his side.

But his side's in charge. We understand that. And we know we need to compromise. We know we need to work together. But we haven't been doing so.

And he can talk as much as he wants. That's what the American people believe as well, I tell my friend, the majority leader.

I asked him about the debt limit and he said no.

Mr. CANTOR. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I want to clarify what he said no on was that a clean debt limit extension was not coming to the floor.

Mr. CANTOR. In September, yes, Mr. Speaker.

Mr. HOYER. I appreciate the majority leader's comment. Can he tell me whether there might be a possibility of having a clean debt limit extension after September?

Because I tell the gentleman again, I want to repeat so that he knows, his party knows, and America knows, we're prepared to work with the majority party to do, in a bipartisan way, what every leader believes is the responsible action to take.

One of his predecessors, Senator ROY BLUNT, in responding to whether we ought to risk default by not passing a debt limit, he said this: "No, I don't support that. I think holding the debt limit hostage"—in other words, if you don't do the debt limit, we're not going to do this, that or the other, or, said another way, if you don't repeal ObamaCare, we're going to let the country default. Senator BLUNT, again, one of his predecessors: "I don't support that. I think holding the debt limit hostage to any specific thing is probably not the best negotiating place."

Now, I thank my friend for his comment, Mr. Speaker, and I would again ask him, could we expect a clean debt limit extension at some point in time between September 30 and November 15?

And I yield to my friend.

Mr. CANTOR. Mr. Speaker, I'd say to the gentleman that it is our hope that we can work together across the aisle to solve the problems, to come up with the answers as to how we are going to pay back the additional debt that we'll have to incur in this country.

And I think whatever budget you look at, their side or our side, Mr. Speaker, in any iteration, calls for the incurrance of additional debt. The object should be for us to reduce the need for us to incur that debt so we can relieve the American people of that contingent liability. And our side has said we would like to do so within the next 10 years, to bring the budget to balance.

I hope that the gentleman will join us in that spirit, rather than saying we should just continue to borrow into eternity, without some recognition that that just can't be a sustainable solution either.

So I would say to the gentleman, when he is off talking about the need

to go to conference, and frankly, some of the statements he made about VAWA and the farm bill were inaccurate. But I do think that there were a lot of things that this House has done that the President nor the Senate seems willing to respond to.

And as I've said before, Mr. Speaker, what we're trying to do is to address the needs of the working people, the middle class of this country.

We passed the SKILLS Act. That was a bill designed to try and align the worker training programs at the Federal level with the employment opportunities out there across the different regions of the country so we could respond to the fact that there are hundreds of thousands of job openings in certain industries, simply because our workforce doesn't have the proper skills and training.

The President, if he wanted to help the middle class families, instead of off campaigning again, giving the speeches, he could come and call up HARRY REID and the Senate and say, Bring that bill to the floor, Mr. Leader; we can do something for the American people.

In the same vein, this House, last week, passed a bill which I believe—and I'm sure the gentleman shares my sentiment, that ultimately what we've got to do to grow our economy and secure our economic future is to provide for a quality education for our kids. We passed a landmark piece of legislation last week, without any bipartisan support, Mr. Speaker.

But again, if the gentleman is so intent on wanting to help and wanting to do something, not because of Washington's needs, but because of what we've got to do for the kids across this country and their families, then let's help try and forge an answer on reauthorizing the education bill.

We also, Mr. Speaker, passed a bill that made it easier for working families to spend time with their kids and hold down an hourly wage job. Is there any movement on that?

The President could certainly say, Let's do that; let's provide some relief to the middle class.

We also passed in the House, Mr. Speaker, several energy bills to help the families out there across this country who are on their vacations right now, choking when they see the price of gas at the pump.

We have bills. The President could go ahead and approve the Keystone pipeline. Where else in the world could you have an environmentally sensitive people, other than in America? We do it cleaner and better than anyone. And to sit here and deny us the opportunity to take advantage of our indigenous resources, all it does is cost our working families and businesses more money.

We also have passed bills to allow for safe and environmentally sensitive ways of going into our deep oceans, to go in and to tap into the resources that are there, things that technology has unleashed. But yet, neither the Senate

nor the President seems interested in helping the middle class and the working families, because all we hear from the other side is what we can and can't do politically here in Washington.

I would say to the gentleman, there are plenty of things that we could get done together. Let's start to focus on the people of this country, not the political imperatives of this institution.

Mr. HOYER. I thank the gentleman for that response, which I took as a no, which didn't indicate that we could expect to see bipartisan work on making sure that the government pays its bills that have already been incurred. No, it was a lot of rhetoric.

And there was a lot of recitation, Mr. Speaker, about bills. All those bills have something in common: do it my way or no way.

Now, we had an election, I tell the gentleman again. He knows that. They thought they were going to take the Senate. They didn't. The majority in the Senate is Democrats. And the President of the United States was re-elected. And the House, Republican majority, was returned. But that didn't mean the American people didn't expect us to work together.

I tell the gentleman, I'm not sure what error he thought I made. We did not go to conference on the Violence Against Women Act. We did not go to conference yet on the farm bill.

Mr. CANTOR. Will the gentleman yield?

Mr. HOYER. I will be glad to yield to my friend.

Mr. CANTOR. There was no vehicle to go to conference on, Mr. Speaker. If the gentleman recalls, there was a blue slip on the Senate bill, Mr. Speaker, and so we took up the bill in the House and went ahead and passed the bill. So, I don't even know why that is even pertinent to this discussion, Mr. Speaker.

I'd also say, the gentleman understands as well, there was a bipartisan farm bill that came to the floor. And if I recall, that bipartisanship faded away, which is what now then caused the House to bring up another farm bill. This time, trying to be transparent in the process, brought up the agricultural policy piece, which has passed the House without any bipartisan support, Mr. Speaker.

Then we are also, as the gentleman knows, engaged in discussions with the chairman of the Agriculture Committee as to forging a consensus on a nutrition piece so that we can, yes, act again on that.

So I'd say, Mr. Speaker, to the gentleman, it is not accurate that we don't intend to eventually go to conference and iron out the differences between the House and the Senate on both of those issues, on the ag policy, as well as the nutrition policies.

Mr. HOYER. I thank the gentleman. I didn't talk about intentions. I talked about fact. I talked about fact.

PETE SESSIONS, chairman of the Rules Committee, Republican, said this when we passed the farm bill: "I believe that this is an honest attempt to

get us to go by passing part of the farm bill, to go to conference.”

I asked the gentleman last week, I asked him again, there’s nothing on here about going to conference. The gentleman’s told me we’re not going to conference until we pass something on the nutrition part. We want to see something on the nutrition part passed.

PETE SESSIONS said, in addition to that, when talking about why they brought the farm bill to the floor in the condition it was, dropping all reference and provisions for poor people to have nutritional assistance, said this:

We’re attempting to then separate, bifurcate, offer today a rule and the underlying legislation which hopefully will pass which would go to conference and the Senate, because they’ve passed their own farm bill, has included in its provisions where they discuss the nutrition program.

This is PETE SESSIONS, Republican chairman of the Rules Committee speaking, Mr. Speaker.

As a result of that, that should be in their bill on a conference measure. The House simply, at this point, if we pass this part, could go to conference.

So the gentleman is not accurate when he reflects there’s nothing to go to conference on. The Senate has amended their bill into the House bill. We could clearly go to conference on that under the processes.

I think the gentleman must know that. And that was the expectation that PETE SESSIONS says was the purpose of passing the farm bill.

But let me go back to the point I was making before the gentleman wanted to correct me on what I think were accurate representations on all the pieces of legislation I mentioned. Certainly that’s the case on the budget. My opinion, it’s the case, certainly on the budget.

I don’t know what the intentions are, but the fact is we haven’t gone to conference on the farm bill and we didn’t go to conference on the Violence Against Women bill.

The fact is, what those bills that he mentioned did have in common, Mr. Speaker, is—and he said, we’ve got no Democratic votes for it. There was no work to get Democratic votes. There was no work for compromise. That’s, I tell my friend, why the polls reflect of working people such concern.

The majority, Mr. Speaker, talked a lot about confidence, talked a lot about building confidence if we were going to grow the economy. I agree with him. We need to have individuals confident.

And the gentleman knows, because he talks to a lot of business leaders, as I do, every one of them says that if they had confidence that we could work together and get things done, not put the debt limit at risk, not put the ongoing operations of government at risk, not continue to have fights—I talked to a major leader of one of the health insurers in this country and said, look, we may not like some of

this bill, but we think it’s the law, and we’re going to work to try to make it work for all Americans.

We’re not doing that, Mr. Speaker. We’re trying to repeal. We’re not conferring. We’re not cooperating. We’re not trying to come to compromise.

And we can talk about working people, as is appropriate for us to do, and that’s what the President is out doing, not here in Washington, not talking to all of us. He’s talking to the people and saying, look, this is my program. This is what I want to do, and I’m not getting cooperation from the Congress of the United States.

I think he’s absolutely right. And he’s talking to the people, not to us, not here in Washington, but he’s criticized for doing that by the majority leader.

Mr. Speaker, I think that’s what he ought to be doing because the American people ultimately are going to have to make a decision as to who is looking out for their interest and who is just simply confronting and not listening to the people in the last election, just a few months ago, or right now.

When the people are saying, board of directors, work together, stop obstructing, I would hope we could do that, Mr. Speaker.

Unless the majority leader has something further he wants to say, I yield back the balance of my time.

HR OF MEETING ON TOMORROW

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, and further, when the House adjourns on that day, it adjourn to meet on Tuesday, July 30, 2013, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

□ 1230

NATIONAL COUNCIL FOR INDEPENDENT LIVING

(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 is the 31st anniversary of the creation of the National Council for Independent Living. NCIL is the leading organization for persons with disability.

Thirty-two years ago, I began my career and life passion serving individuals who were living with life-changing disabilities. I’m proud to be one of the 214 cosponsors of the Achieving a Better Life Experience Act. The ABLE Act will ease the financial strains for individuals with disabilities. I’m also proud to be the author of the Special Needs

Trust Fairness Act of 2013. This legislation removes the current barriers that prevent individuals with disabilities from independently creating a special needs trust. What we’re talking about is individual independence and making sure that public policy is a tool, not a barrier, in achieving this goal.

Once again, I want to thank the National Council for Independent Living for their leadership and service. Working with advocates such as the National Council for Independent Living, we will accomplish independence, dignity, and success for individuals living with disabilities.

CAUCUS ON BLACK BOYS AND MEN

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

Mr. VEASEY. Mr. Speaker, I want to take this time to thank Congresswoman ELEANOR HOLMES NORTON for pulling together yesterday the first meeting of the Caucus on Black Men and Boys. Trayvon Martin’s dad also participated with us yesterday. We need to do something about the violence that occurs all too often, particularly with many young African American boys, in our communities.

Black boys in our community face daily obstacles, including run-ins with the police, high rates of unemployment, racial profiling, and extreme prosecution that leads to over-incarceration in the community. As a black man, I can attest to what President Obama said in his recent speech:

Trayvon Martin could have been me.

African American men have lived an experience of being stereotyped and profiled in other ways that most people have never had to endure and can never understand.

Mr. Speaker, it is our job as legislators to create policies that create a level playing field so everyone can succeed.

PREVENTING DOD FURLOUGHS

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

Mr. WITTMAN. Mr. Speaker, yesterday, the House passed important legislation: the Defense appropriations bill. This bill prohibits furloughs on employees serving our Department of Defense in fiscal year 2014. These employees are now in their third week of furloughs.

This week, we heard from Under Secretary of Defense Comptroller Bob Hale about the adverse impacts, which are expected to worsen if furloughs continue. His message made clear the harm furloughs already have on our force readiness. He echoed what I am hearing from my constituents that I talk to on a daily basis: these dedicated patriots employed by DOD are disappointed and frustrated they cannot support the warfighter and are fearful of an unknown future.

While it may be too late for the 11 days of furlough through September, Congress has the opportunity and I believe the obligation to get this important provision prohibiting furloughs signed into law as soon as possible.

I urge the Senate to join the House in passing this important measure.

ANNIVERSARY OF APOLOGY FOR SLAVERY AND JIM CROW LAWS

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

Mr. COHEN. Monday, July 29, will be the fifth anniversary of the passage in this House of the first and only apology for slavery and Jim Crow laws in this Nation's history. This Nation had 246 years of slavery and over 100 years of Jim Crow.

The resolution, which passed with only two Republican sponsors, Wayne Gilchrist and Phil English, said that we needed to rectify the lingering consequences of slavery and Jim Crow. Indeed, we still need to. There are many areas in the criminal justice system that show this, such as racial profiling, that the likelihood of being arrested for marijuana is four times as much if you're African American than white, and stiffer sentencing if you are African American. The need for public health and public education, and for jobs, more significant, and a much lower net worth among African Americans, are all vestiges of Jim Crow and slavery.

As we look toward the fifth anniversary of that resolution and the 50th anniversary of the march on Washington, both sides of this aisle need to look toward the least of these—people who have been discriminated against and enslaved by our Nation's laws—and rectify those lingering consequences.

HONORING JUDGE MICHAEL WARREN

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

Mr. BENTIVOLIO. Mr. Speaker, it is an honor and a privilege to take some time to recognize one of my constituents.

Last month, Oakland County Circuit Judge Michael Warren was honored with the Americanism Award from the Daughters of the American Revolution of Michigan. The award states that it was presented to Judge Warren "in recognition of outstanding accomplishments and contributions for his tireless work in promoting patriotism for the American people, especially through Patriot Week."

Our country is an exceptional Nation because of what happened in 1776. We need more people teaching the history of our founding and promoting patriotism. Judge Warren is doing a great job in Michigan, and he's a great example that should be followed nationwide.

39TH ANNIVERSARY OF ILLEGAL OCCUPATION OF CYPRUS

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, I rise in honor of July 20, which is a special day of remembrance for the families and loved ones of all those who have suffered so greatly as a result of one of the biggest national tragedies in modern Greek history: the 1974 illegal invasion and occupation of the island of Cyprus by Turkish soldiers. It happened 39 years ago this week.

The invasion forced nearly thousands of Greek Cypriots to leave their homes in the occupied area and become refugees in their own country. Their religious and cultural sites were damaged and destroyed, their religious freedoms restricted, and their rights disrespected. In violation of international law, the Turkish soldiers remain there still, occupying more than one-third of the island. They ignore all the U.N. resolutions pertaining to Cyprus—and there have been many passed.

As the cochair and cofounder of the Congressional Hellenic Caucus, I have worked diligently with my colleagues in the Caucus out of our mutual concern for the continued division and occupation of Cyprus. We continue to work to raise awareness of the Cyprus problem and the role the U.S. can play to support the negotiations.

The people of Cyprus deserve a unified and democratic country—and we are working towards that end.

HELPING CHILDREN WITH DUCHENNE MUSCULAR DYSTROPHY

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

Mr. BACHUS. Mr. Speaker, it's an honor to talk about some courageous children who are changing the way that we think about Duchenne Muscular Dystrophy. It affects nearly 20,000 babies a year in the United States, robbing them of the muscle development they need to grow into a healthy childhood.

These children, like Gabe Griffin of Birmingham, who you see in this photo, are full of strength, spirit, and hope. They inspire all of us. As he grows into adulthood, his muscle development will be arrested if we don't make progress.

Thanks to research and advocacy by parents like Gabe's, Scott and Traci Griffin, as well as Joel and Dana Wood, here in Washington new treatments are being developed for Duchenne. But for families, the progress needs to come faster. The FDA is now considering whether to grant accelerated approval to a potential breakthrough therapy. It's a drug called Eteplirsen. While

properly taking safety into account, it is important for the FDA to make a timely decision on this drug.

When you look at this picture, you know that we must do everything possible to help these amazing young people to enjoy the happy and healthy childhood that so many of us were blessed with. Let's do everything we can to urge the FDA to research this drug and make it available to the general public.

RECENT COLLEGE GRADUATES FAILED BY PRESIDENT OBAMA'S BIG-GOVERNMENT APPROACH

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

Mr. ROTHFUS. Mr. Speaker, President Obama yesterday pivoted to jobs, or so it has been reported, during another campaign-style speech at Knox College in Illinois. During his hour-long speech, we heard no new ideas. Instead, President Obama batted down the hatches on his economic policies. Meanwhile, the Federal Reserve Bank of New York recently reported that more than 50 percent of college graduates are either unemployed or underemployed.

Unfortunately, President Obama's economic policies have failed the class of 2013. Since he took office, President Obama has never really pivoted to jobs. Instead, he's always pivoted to Big Government. What's really grown over the last 4 years is President Obama's Washington. It's a Big Government boomtown.

In contrast, the House has passed several pieces of legislation that would enable job growth. Let me name just a few of those initiatives: the SKILLS Act, the Keystone pipeline, and expanded offshore domestic energy production.

If the President and the Senate would like to get serious about job creation, let me suggest they go to www.gop.gov/jobs. Unless the President truly pivots away from Big Government, we won't see real economic recovery until the class of 2017 graduates.

DEFENDING AMERICAN LIBERTIES

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, it is an honor and a privilege to be here to speak.

At this time, I yield to my friend from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. I want to thank the gentleman very much.

Yesterday, the President made a speech at Knox College in Illinois. And in that speech, he categorized Republican Members of Congress in three groups. He said there was a group of

Republicans who agreed with him on his policy but were afraid to vote for it and did not have the courage to vote with him. He also said that another category of Republicans are those who, because it was his idea, are opposed to it. And then the third group of Republicans, he said, were those who have a view of the world that inequality and injustice is inevitable.

I was a little bit offended by that categorization, and I wanted to take a few moments today to explain to the American people specifically why many in our Conference oppose the President on some of his economic and energy policies, particularly.

I want to preface my remarks by saying, when the President was elected, the first thing that he focused on was transforming America's electricity policy. His number one goal was to produce more green energy through solar panels and wind energy. He spent billions of dollars on that through the stimulus package, much of the money going to venture capital friends of his, wealthy supporters of his, like Mr. Kaiser of Oklahoma, on the Solyndra project. And, in addition to that, the 1603 Treasury program that gives grants to certain green energy projects, the 1703 and 1705 programs at the Department of Energy.

□ 1245

Now, that was the focus of the President. That was the part of his stimulus package that was going to get the economy back on track. Well, I would like to remind people that in June—just this past June—we lost, in America, 240,000 full-time jobs. The last quarter of 2012 and the first quarter of 2013, our growth in gross domestic product was not even 2 percent; it was below 2 percent. And for the last 15 quarters, our gross domestic product has increased only a little over 2 percent—the weakest growth since World War II in America.

Now, for this year, 2013, we've created 750,000 new jobs, but 557,000 of those were part-time jobs. Now, why is that happening and why are we losing full-time jobs? Well, under the President's Affordable Care Act—or as some people call it, "ObamaCare"—any employer that has 50 or more employees and they work more than 30 hours a week, he is going to have to provide health coverage for them. If they do not do so, they will be penalized with a monetary penalty. So the reality is what's happening is that small business men and women in America are laying off their employees and making sure that they only work part-time. So the President, focusing on green energy, encouraging small business men and women to lay off workers, that's precisely why we have a sluggish economy today.

Now, the President says that he is for an all-of-the-above energy policy. And I would say to you that everyone on our side of the aisle supports an all-of-the-above energy policy. But after spending billions of dollars for renew-

ables, the President has only been successful to a very limited degree. As a matter of fact, today, renewables in America are creating only 500 million kilowatts a day; coal is producing 4.5 billion a day; gas, 3 billion a day; nuclear, 2 billion a day. So the President has jeopardized and created obstacles to economic growth because of his sole commitment to renewable energy.

Now, like I said, we need renewable energy; but this President says one thing and does another. He says he is for an all-of-the-above energy policy; and yet because of his actions and his administration's regulations, America is the only country in the world where you cannot build a new coal power plant. As a result of that, we're losing jobs in that industry as well.

So I would just say to the President his priorities are wrong. He is so focused on fulfilling his political goals of changing the way electricity is produced in America and creating obstacles for economic growth that he is self-defeating our abilities to stimulate the economy.

And I would just emphasize once again, we do need an all-of-the-above energy policy. We need wind, we need solar, we need natural gas, nuclear and coal; and yet we cannot build a new coal power plant in America.

If we're going to get this economy growing, we have to have electricity at a rate that we can afford in order to compete in the global marketplace, in order to get people to build plants in America, create jobs in America, and move this country forward.

So I would just say to the President instead of focusing on categorizing Republicans and who they are and what they are, he needs to get his priorities right and start focusing on economic growth and stop using stimulus funds to reward his friends in the joint venture capital business and his wealthy supporters and start helping us build an energy policy that will work for America.

I want to thank the gentleman from Texas for giving me a few minutes to talk about that issue.

Mr. GOHMERT. I thank my friend from Kentucky. I just had seen an article that's really an exclamation point, really, of what the gentleman was saying. The headline is:

Two Americans Added to Food Stamp Rolls for Every Job the Administration Says It Created.

I mean, how tragic. What an exclamation point on those facts that were laid out by my friend, Mr. WHITFIELD. Thank you.

There's news being reported today that Attorney General Eric Holder has announced the opening of a new front in the battle for voting rights—at least so he says, his brand—which is rather ironic because this administration, and particularly the Attorney General, the Department of Justice, had talked about, in essence, how the Supreme Court had eviscerated the Voting Rights Act and just rendered it basi-

cally nothing by its terrible decision. Yet if you look at the words of the Supreme Court in that decision, the Supreme Court points out that the factual data does not bear out the attacks by this administration continuing on the States that had done wrong, if you will, sinned back 50 years ago.

There was racial discrimination in this country at the time of the Voting Rights Act, and there is racial discrimination today; but it has moved. The Voting Rights Act has accomplished a great deal in our efforts to move toward equality of opportunity around the country. And so it has accomplished something that is very good and very important to the country.

But, amazingly, when the Voting Rights Act was extended—with support from people on both sides of the aisle—they decided that, gee, since some of us have districts where there is now racial discrimination, even though at least six of the States that were originally gone after in the South by the Department of Justice, they had better racial equality in voting than the average for the entire country.

Yet this administration decided our goal is to punish those States that did not vote for this President—we're going after these States; we're going to continue to punish them; we're going to continue to be punitive to them. We're going to ignore areas like Massachusetts, where there's now more racial disparity than in at least six of the States—maybe all of them—in the South. But as I understood it, Massachusetts, unfortunately, has moved into the arena of being a State that has significant—most significant racial disparity. And yet the Voting Rights Act did nothing to address those areas of the country where over the last 50 years discrimination has grown, it's raised its ugly head.

Yet this administration said, no, we're too busy punishing States who corrected their problems and are doing so much better than the rest of the country. Why? Because we can. Actually, that is the reason the Voting Rights Act was extended without the Gohmert amendment that would have made sure that the Voting Rights Act applied across the country in any area where there was racial discrimination. But in a bipartisan manner, a majority forced the extension for 25 more years, which would mean—now, I don't even recall who all was in office back then. I was a little kid. I didn't know who was discriminating and who wasn't. I had no part in it. And people who had no part of the discrimination that was going on back then—the discrimination that needed to be addressed, the discrimination that needed to be corrected—for some reason, have people in a majority of places that voted to extend it, keep punishing areas that are no longer committing wrongs, no longer sinning.

We want to keep punishing them because if we open it up and apply these

same punitive things across the country and come up with a new formula, gee, we're not going to be able to keep punishing these areas for their sins of 50, 60 years ago. We may have to punish our own States because racial disparity has grown there.

So the Supreme Court did the proper thing—legally, fairly. Now we see this administration saying, oh, it turns out we can use the Voting Rights Act to continue to punish Texas. Why? Because we can; because we want to. So they're coming after Texas, as announced today, again.

At some point, I hope we get to the place that the President spoke of when he spoke at the Democratic Convention so eloquently, talking about there's not a red America and a blue America, we're just Americans. I loved that speech. I thought it was fantastic. It caused me to rise up and take notice, wow, this guy is saying the things I believe in. He's so right. And yet his policies have been diametrically opposed. They have racially divided us; continuing to go after political enemies; continuing to have this administration's Internal Revenue Service weaponized in a way that Richard Nixon and Lyndon Johnson could never have even dreamed they could have done.

So, hopefully, the court to which the administration has gone in Texas will do the right thing and say, you know, Mr. Attorney General, we remember your comments about how you don't have the power really to do this anymore since the Supreme Court struck section 4 down. And so either we believe what you're saying now, or we believe what you said out there after the Supreme Court decision. And that becomes a real problem when you have an Attorney General that says different things to different people, because the highest law enforcement officer in the country needs to be trusted. He needs to have respect and adherence for and to the law.

We have an Attorney General that's been held in contempt. He's been in contempt of Congress; he's been in contempt of the law; he's been in contempt of the actual facts—repeatedly. We need a different Attorney General.

I asked President Bush to appoint a new Attorney General when there was a scandal over national security letters. I thought it was the appropriate thing to do. When someone's credibility is hurt, even if they didn't even know what was going on, it's time to have new leadership and change what's going on. And we got a new Attorney General.

Yet I'm amazed at how my friends on the other side of the aisle keep clinging, as does the President, to an Attorney General who is in contempt of Congress, contempt of the law, and in contempt of facts; an Attorney General who would have the nerve to testify that he's never even heard of anyone attempting to prosecute a reporter, when he knew as he said it he had

okayed and given his blessing to the persecution of James Rosen with Fox News. So he either lied to the Congress in his testimony, or he was a part of a fraud upon the court.

□ 1300

Because the allegations in the affidavit and the application for a warrant before the court going after James Rosen claimed he had violated the law, set out the law he had violated, that he was a flight risk, that he was a risk to destroy evidence; so either he believed the things that he approved, which means he lied to Congress, or he spoke truthfully to Congress and committed a fraud upon the court. Either way, we need the highest law enforcement officer in the land to have more credibility than that, and yet here he is doing the same thing, saying one thing one place, claiming another in another place.

It is so critical that we be able to trust our government, which brings us back to the issue of NSA spying.

Now, I was a freshman in 2005–2006 in the 109th Congress. I was on the Judiciary Committee, and we had some very rancorous debate between our own party behind closed doors, out in the committee room, here on the floor, over the PATRIOT Act, over the extension of power over the Foreign Intelligence Surveillance Courts. I was very concerned, even though we had a Republican administration and a President that I liked and respected, George W. Bush, smarter and wittier than people gave him credit for, a good, decent man.

But we have to consider the possibilities and we have to be specific in our laws. When we debated these changes before the Judiciary Committee back in the 109th Congress when I was a freshman, there were people, my Democratic friends across the other side of the aisle, that were very concerned about an abuse of power that might be occasioned if we don't tighten up the PATRIOT Act.

I am just anal enough, I read the bill as it existed. I read the law as it existed. I was pushing for some things to be changed, and it did cause me some concern that the title of what basically is section 215 of the PATRIOT Act as it was at that time before amended:

Access to records and other items under the Foreign Intelligence Surveillance Act.

As amended, it would read:

Access to certain business records for foreign intelligence and international terrorism investigations.

So I knew those were the titles, so it really applied to foreign intelligence and international terrorism investigations.

My Democratic friends across the aisle that we would often consider way left had serious concerns. I understood their concerns, but I thought they were being way too fearful of government because the law, we could make it specific enough that it would not be abused by a Republican or Democratic administration.

As I read through, having been a judge and a chief justice and had to consider from a legal standpoint what do these words mean? what does this word mean? can this be considered vague, ambiguous? is this considered arbitrary and capricious? is there room for misunderstanding? I actually had some concerns behind closed doors. I was asking people from the Bush administration, Justice Department, I'm a little uncomfortable about this; what does this mean?

One of the things I asked about was, in the reference to the proposal for the amendment, it says, "the Director of the Federal Bureau of Investigation or a designee of the Director (whose rank shall be no lower than Assistant Special Agent in Charge) may make an application for an order requiring the production of any tangible things (including books, records, papers, documents, and other items) for an investigation to obtain foreign intelligence information not concerning a United States person"—well, I was comfortable with that language. That seemed to protect U.S. citizens pretty well.

And then there's this disjunctive preposition "or," this disjunctive "or." Okay. Well, it can be that or it can be this.

The other aspect was "to protect against international terrorism." Well, I felt like at the time I was okay if we are really seriously to protect ourselves from international terrorism. Again, that doesn't involve an American citizen unless you can establish with probable cause that an American citizen is involved in international terrorism.

And then we get a second disjunctive "or"—"or" clandestine intelligence activities."

And I raised the issues behind closed doors in our Republican meetings and when we met with justice officials: I'm uncomfortable with this because it doesn't say "international" in that part. You have the disjunctive "or," but you left out "international" there. I would really be more comfortable if it said, "to protect against international terrorism or clandestine international intelligence activities."

I was told: Congressman, we know you're a judge and you get caught up in words sometimes, but look at the title of the article. The article says, "Access to certain business records for foreign intelligence and international terrorism investigations." So you shouldn't have to be concerned. This is only about intelligence. It's only about foreign contacts.

And we were assured repeatedly behind closed doors and in debate that this amendment to the PATRIOT Act would make it more difficult for an administration to abuse it—Republican or Democrat. I was still a little uneasy, and I know that when there is a disparity between language within a law and the title of the law, the language within the law itself takes priority

over the title, I know that, but it was somewhat comforting.

If you read on down—this was as we were trying to amend it and as the Justice Department under President Bush was pushing—it says, “An investigation conducted under this section shall,” and then it has, “(A) be conducted under guidelines . . . (B) not”—and there’s an “and,” so this is important; you can’t go without (B)—“and (B) not be conducted of a United States person solely upon the basis of activities protected by the First Amendment to the Constitution of the United States.”

There were some concerns during this debate over amending section 215 of the PATRIOT Act back in the 109th Congress that we don’t want the administration gathering intel about someone if it is all having to do with their activity that is protected by the First Amendment to the Constitution of the United States.

So, for example, if someone were burning a United States flag or burning a Holy Bible, the Supreme Court tells us those are protected activities protected by the First Amendment, and therefore you could not use those to go gather intelligence data about an American who was doing those things.

Now, of course, we have the U.N. and former Secretary Clinton and President Obama and others saying, We like what the U.N. is saying.

Basically, if we adopted what the U.N. said, it would still be true, our Supreme Court would allow you to burn a Bible and a flag, but you could never, ever do anything like that to a Koran, which then would allow our radical Islamist friends who want an international caliphate to check the box that they created and was discovered during a raid some years back, that one of their 10-year goals was to subjugate the United States Constitution to shari’a law; and as soon as we adopt a law that says you can destroy a Bible and a flag but not a Koran, they can check that box. But under the proposed amendment in 2005 to the PATRIOT Act, or the official title under title 50, War and National Defense, chapter 36, “Foreign Intelligence Surveillance”; chapter IV, section 1861, so paragraph (3) after (2), that says, “An investigation conducted under this section shall . . . (B) not be conducted of a United States person solely upon the basis of activities protected by the First Amendment”—we get to paragraph (3). And this was an issue that was very contentious. There were groups boycotting and demonstrating and saying, Hey, this is all about library books, we don’t want the Bush administration being able to go in and get a list of books we’ve read.

Well, I contended then and still contend now that to do such a thing of an American citizen you should have to have probable cause that an American citizen has violated the law and get a warrant to do that. But this didn’t require a warrant. This is allowed under

the PATRIOT Act if it was for foreign intelligence purposes and for international terrorism investigations, according to the title. But unfortunately, in the law itself, it said, “or to protect against international terrorism or clandestine terrorism activities.”

And I told people at the time: I’m a little uncomfortable with that, because “clandestine intelligence activities,” what is that? What if it’s just somebody going somewhere asking questions, not doing it in public but going privately to individuals and saying, “I’m really concerned about what the administration is doing on this or that; what do you know about what this administration is doing? What have they done to you?” Would that be considered as somebody doing clandestine or private intelligence activities?

I was told: You’re being paranoid here, GOHMERT. Look at the title again. It’s “international terrorism.” It’s “foreign intelligence.” This is not about American citizens. Look at the overall context.

But those words hanging out there after a disjunctive “or,” it was a little uneasing. But I had enough people in the Justice Department, on my committee, with the administration at that time that said: No, gosh, no. You’re looking for things where there aren’t any. This is not an issue.

But this paragraph (3), “In the case of an application for an order requiring the production of library circulation records, library patron lists, book sales records, book customer lists, firearms sales records, tax return records, educational records, or medical records containing information that would identify a person”—wow, that’s kind of scary when you consider that entire list of things that the Justice Department might be going after.

But it says, “the Director of the Federal Bureau of Investigation may delegate the authority to make such application to either the Deputy Director of the Federal Bureau of Investigation or the Executive Assistant Director for National Security. The Deputy Director or the Executive Assistant Director may not further delegate such authority.”

So they wanted to assure us that only people that were looking at foreign intelligence and foreign terrorism who had the big picture, not some low-level rogue agent, would be pursuing anything like this, and we were told repeatedly: But it’s all tied to foreign terrorism.

□ 1315

When you go down under subparagraph (b)(2) under each application under this section, it says:

Shall include a statement of fact showing that there are reasonable grounds to believe that the tangible things sought are relevant to an authorized investigation, other than a threat assessment, conducted in accordance with (a)(2) of this section to obtain foreign intelligence information not concerning a

United States person or to protect against international terrorism or clandestine intelligence activities, such things being presumptively relevant to an authorized investigation if the applicant shows in the statement of facts that they pertain to (i) a foreign power or an agent of a foreign power.

Now, that gave me comfort. Okay. All right. If it pertains to a foreign power or to an agent of a foreign power, okay. That’s not an American citizen, and if it is, there is certainly an agent for a foreign power:

(ii) the activities of a suspected agent of a foreign power who is the subject of an authorized investigation or (iii) an individual in contact with or known to a suspected agent of a foreign power who is the subject of such authorized investigation.

It talks about minimization procedures. Then under (c)(2), it gives this order, this direction, to a judge who may be asked to issue an order:

An order under this subsection: (A) shall describe the tangible things that are ordered to be produced with—and get this—sufficient particularity to permit them to be fairly identified.

Now, that gave me comfort. The Foreign Intelligence Surveillance Court judges, who are judges nominated by the United States President and confirmed by the United States Senate, thoroughly investigated by the FBI, are the only people, when they’re assigned to the FISA court, who could issue an order like this, and the law says that their orders have to be with sufficient particularity.

We know from the law under the Constitution that, if you want to go after specific private information about people, you have to have a warrant, and that warrant has to be based on probable cause, and the probable cause must be established by a sworn statement, and there must be sufficient specificity so that we don’t just have blanket orders to go get information.

I know, when I was an assistant DA up in northeast Texas, that we had a deputy come in one time. It was the policy, if you wanted to get a warrant signed by the district judge, you needed to go through the DA’s office first so that we could help you and make sure you had probable cause and make sure there was proper specificity. Bless his heart. He was a great gentleman, an older deputy, and he was always after this tiny, little community in our county.

He said, I know they’re smoking dope out there. I just know it. I’ve sat out there and surveilled their house. I haven’t seen them with dope, but I know they’ve got it.

So he came in one day, and he said, I’ve got them. I can get a warrant now.

What have you got, Deputy?

Well, you know our little convenience store out there in our community was broken into, and one of the things they stole was potato chips.

Okay. So what does that have to do with a warrant to go after marijuana?

Well, of the place I’ve been surveilling and watching, I found out absolutely, for sure, that they’re having a party Friday night, and they’re

going to have potato chips there. So all I need is a warrant to go look for potato chips, and while I'm there, I'll find the dope.

I said, Is there anything identifiable on the potato chip packages that would allow you to determine that these were the potato chips stolen from the convenience store?

He said, Well, no, no. These are just potato chips.

Deputy, I'm sorry, but that's not sufficient specificity.

I mean, I've known since law school, since I was a DA, since my years as a judge, and as a chief justice that you've got to have specificity. The Constitution requires it. So, basically, that's what this provision is requiring. You've got to describe with sufficient particularity that people can identify the specific items that you're demanding to be produced.

That's why, when we all looked and saw in public information sources that a FISA Court judge had granted an application for a warrant for every phone call made by anybody in America, whether outside the U.S. or inside the U.S., I couldn't believe they'd find a judge who would sign that. I mean, sure, you might find some judge in some jurisdiction in that location, in that court, who didn't have to go to law school and who really didn't understand the Constitution, but the justices of the peace I know would know you've got to have some specificity here. You can't just come in and ask for everybody's phone records in the country.

So I have to say about my friends on the far left of the political spectrum who were suspicious back when we were pushing—and being pushed, really—for an extension of the PATRIOT Act that they had concerns that somebody might come in and get library records without adequate probable cause. It turns out their concerns about library records didn't even come close to the danger that this act would pose for an administration that felt like it should have everybody's information.

I've talked to people on both sides of the aisle—and this may be one of the few rare issues. My sense is that everybody truly wants the same thing, but when you look at what is being gathered, this was never, ever anticipated. I can't remember if it were publicly or privately in our conversations when we were discussing this extension of the PATRIOT Act, and when I was demanding sunset so we could still have some accountability and demand answers when we wanted them, but either privately or publicly, we were told, Look, we don't even have the capability—this was in 2005—to gather the data for every single phone call that's made by everybody in the United States, and even if we did, we would never do that.

But anyway, that was one of those statements that was made either in private or in public, and that assuaged some of our concerns.

The truth is, I just couldn't imagine a judge who had been nominated by any President—liberal, conservative, confirmed by the Senate, a judge who had obviously gone to law school—who would sign an order saying, Yeah, go get every phone call made by every person everywhere.

I know the hearts of the people on both sides of the aisle who voted against and spoke against JUSTIN AMASH's amendment, and I know this is one of those issues—I can feel it, and I've talked to people on both sides of the aisle in depth and privately—where we really all want the same things here. We want to be safe, but we want to protect our liberty.

It seems that those who have dealt directly with the intelligence agencies and information—the classified information—have said, We really do need this because you don't know how much trouble we're really in if we don't have this. This stuff is critical. We need this information.

Unfortunately, it brings us back to other problems. One, for example, is: when you have open borders and when you know there are people coming in the country who want to harm us, hurt us, destroy our way of life, take away our liberties, then you need to, perhaps, give up some liberty in order to have security.

I don't want to give up liberty. I don't think we should have to, but when you have open borders—as open as ours are right now—and when people want to be secure and safe more than anything else, people are going to give up the very liberty that so many people gave their lives for us to have.

John Adams had that amazing quote. I don't have it verbatim, but it is in essence:

If people in future generations give up liberty, then I will regret from Heaven that I sacrificed so much for them to get it and have it.

We owe it to those who went before us not to so easily give up our liberties.

In one of our hearings, we were told, Oh, it's only the metadata; it's only the numbers. We don't get who has what number and then look at what calls they've made. It's the metadata so we can run the algorithms and look for patterns.

When you have the numbers—and I asked the question—our intelligence agencies, which are the NSA, the CIA, the FBI, are obviously entitled without a warrant to go to the public sector and gather information that any American could get. That means, if any American can get what someone's phone number is, then the CIA, the NSA, the FBI, the Secret Service—anybody—can get that, and then all you have to do is pull up those numbers and say, Well, I wonder who this person called? and start looking.

I want to say this as respectfully as possible: for those who say we can justify this because it has probably saved us from some terrorist activities, don't forget John Adams and the thoughts of

the Founders and of those who gave their lives, their fortunes—everything they had—for us to have liberty when they said, Don't give up your liberty.

I would humbly submit, back in those days of the Revolution, before the Revolution, that it would have been very easy for King George to have taken it a step even beyond what he did where he could quarter soldiers in people's homes without their permission. It was one of the things that frustrated our Founders, that the King, without anyone's permission, could send a soldier in to stay in your home—or more than one soldier.

That's why they wanted to be assured that nobody—no government in America—could ever do that kind of thing again, that they could send a soldier just to live in your house and watch everything and take notes on what you're doing. If they suspected, Gee, we don't have any hard evidence, but I don't trust that guy, so let's send a soldier to stay in that home, then they could do that, and the soldier, certainly, hypothetically, could have taken notes of every activity.

Then it would have been very easy for King George to say, Look, I know you're concerned about my putting a soldier in every home that we are concerned about even though there is no evidence you violated the law or no evidence you're a threat, but I want to point out to you—and this is hypothetical—that since we put soldiers in all of these homes to monitor everything going on in the home, we actually found a handful of terrorist plots by some of the revolutionaries, and we've been able to stop those, so we have actually saved American lives by having a soldier in every home of people we don't trust.

People could have said back at the time, Wow, the King is really thinking about us and our safety because he has saved people from being killed here in America because, by having soldiers in every home and by monitoring all this activity, they were actually able to find some people who were troublemakers who would have harmed Americans.

□ 1330

Yes, it's worth it. Okay, King George, you keep monitoring everything anybody is doing, even when you don't have probable cause. There's some similarity here.

When the government can put that big Orwellian eye in your home that you call your computer, your avenue, your network to the world, they can watch everything you're doing in your home. They can watch every purchase you make. We find out now this Consumer Financial Protection Bureau that was created under Speaker PELOSI, well, they want to protect Americans from egregious credit card companies, and so they're gathering people's financial information.

I go back to 2002, when a CIA attorney at one of our judicial conferences

said, Gee, banks have all your financial information. Why shouldn't the government? I was aghast and said because the banks can't come to your home, bust down the door, throw you to the ground, put a boot on your back, and put you in handcuffs and drag you off. But the government can and does. So we've got to be very careful to make sure that the government does not overreach what they're allowed to do.

Yes, banks and third parties may have financial information, but it does not mean the government is entitled to it. In fact, it's just the opposite. They're strictly forbidden to have that kind of information until Speaker PELOSI's House and HARRY REID's Senate passed a bill that said, Oh, yeah, we'll create this financial bureau, and now we're finding out they're gathering the financial information of people. Then we're assured you don't have to worry about ObamaCare, even though we're hiring all these investigators and we're not going to check their background, we're not going to make sure that they're not a problem or have a criminal record; but we'll make sure, or try to, that they finished high school, and they may need to review your medical records to see what kind of government-mandated insurance policy you need.

Where does this stop? The government under ObamaCare will have every American's medical records. The financial bureau thinks they can have everybody's financial information. That's the government having that. Then we find out the NSA has gotten orders so they can get every single call that we have made to somebody. There is no specificity in an order like that. This has to stop. This is an issue where both sides of the aisle have a kindred spirit. We want to protect people's liberty; but some that are so close to this issue have seen how much can be gleaned from people's complete phone records and they say, Look, this is really dangerous in America. I know how dangerous it is. I've been sounding the alarm for years now.

The Muslim Brotherhood has profound influence in this country and in this administration and in this government. As we've already seen, the largest demonstration in the history of the world in Egypt, they figured it out: we don't want the radical Islamists, the Muslim Brotherhood running our country. Well, I don't want them running ours either, but they're there. Secretary Napolitano couldn't even tell me how many Muslim Brotherhood members she had giving her advice. She didn't even know. At least she said she didn't.

This is a dangerous situation. We are in danger. There are people who want to take our liberty and destroy our country, but that's no reason for us to voluntarily give up all our liberty, give up all our privacy in the hope that maybe we can stop others from taking it from us. When you give up liberty, you've given it up. We're supposed to

have the government protecting us from these kinds of intrusions, not demanding all of the most private aspects of our lives. If somebody wants to disclose private information or private pictures about themselves, that's their business; but the government shouldn't be able to come in and get a picture of your most private information about your life and spread it around the government. That is happening, and there is so much more potential for it to continue to happen and to get worse.

The PATRIOT Act seemed like a good thing if we could have adequate oversight and make sure that the kinds of things we've now found out are going on, make sure they weren't going on. Now we know they are. I've been surprised. I've talked to some of my liberal friends across the aisle that expressed concerns about giving authority to the government to get this kind of information, and I was surprised some of them voted "no" against JUSTIN AMASH's amendment. But that's the thing: the NSA and CIA put pressure on Republicans. They say, Hey, you're conservative. We're with you. You've got to help us have these tools. We're preventing people from being killed. You've got to let us have all this private information about everybody. We promise that we're not abusing it. And it persuades people on our side and then on the other side. I talked to a friend who showed me a printout that he had been given, and it said, Well, no, I think exactly like you do. I don't want them having that much information. But, see, Louis, it says the law says that this can only be done—and it quoted—to protect against international terrorism and foreign intelligence information. I said that's right, that's what the law says, but that's not what they're doing. Really? I mean, it said this. I said, Right, that's what the law allows, but they're going so far beyond that. This is something we need to work on together. This is an issue where the left and the right can come together.

Look, we want to secure people's safety and security, but we can't keep giving up private liberty. Let those that want to tweet out their most intimate details do so. Fine. Go for it. Be a fool. But for those who just want to be Americans and live their private lives and be left alone, the government should not be watching everything they do through their computers, through their debit and credit card purchases and transactions, through every phone call they make. I thought I was being rather cute when I told my colleagues across the aisle who were very concerned that the government might get more than just information about contacts with foreign terrorists because that's what we were told. Look, the only way we gather information about who you're calling, who's calling you, is if you make a call to a known foreign terrorist or you get a call from a known foreign terrorist or you make a call to a member of a

known terrorist organization or you get a call from a member of a known terrorist organization. That comforted me. So I told my friends publicly that if you're worried about having the government gather information on who you're calling, who's calling you, then when you call your foreign terrorist friends, use somebody else's phone. It was amusing at the time, but now it turns out this government is gathering everybody's information and they're storing it and they'll have it and there's no indication they're ever going to get rid of it.

When I was in college, I was required to read Kafka's book "The Trial." I thought it was the silliest novel I had ever read because it was one circumstantial, just crazy event after another. The poor man never knew who was charging him, what he was charged with. I thought this is just somebody creating a nightmare scenario, but thank God we live in America and this can never happen here. Yet I see the seeds of a Kafka novel unfolding before us.

I hope and pray, Mr. Speaker, that we will come together on both sides of the aisle and say let's secure our borders so only people that are legally coming in come in. Then once that's done, we can get an immigration bill done. Then, because we're doing that, we don't have to keep giving up liberty to have security. Then let's clean up this law so that some judge who's completely forgotten what the Constitution really means doesn't go off and sign an order to give the government every single phone call that's made to every single individual in and outside the United States. Otherwise, John Adams will look from Heaven, and he will be regretting that he sacrificed so much for us to have the liberty that we're squandering.

I yield back the balance of my time.

THE SHINING CITY ON A HILL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it's my privilege to be recognized by you here on the floor of the House of Representatives, and it's my privilege to follow the gentleman from Texas as we close out this legislative week and a lot of the Members are on their way to the airport, or at the airport now, going back to serve their constituents. I'll be there myself, and I trust Mr. GOHMERT will be too.

I wanted to come to the floor and talk about this country that we have, this civilization that we have, the foundations of our civilization, and what's required to retain them and enhance them and move this country beyond the shining city on the hill and to a place beyond there onward and upward. Ronald Reagan often described the shining city on the hill. He described it as an America that is. An

America that was and an America that is. We were always challenged by the dream, but he didn't actually articulate, that I recall, something beyond this shining city. But societies must progress, and those that progress the most effectively and those that can be sustained the longest need to be built upon solid pillars.

The shining city on the hill standing true and strong on a granite ridge was built on a solid foundation, and I argue that the foundation of it are the pillars of American exceptionalism, and those pillars are listed in the Bill of Rights. You add to that free enterprise capitalism, Judeo-Christian values, the foundation of our culture, which welcomes all religions, and on top of that the dream that inspired legal immigrants to come to America, and that dream embodied within the vision of the image of the Statue of Liberty. That's the American Dream. That's the American country that we are. And that's the foundation upon which we've got to build our American future.

How did we get here? What was the reason that these pieces came together? How was it that our Founding Fathers came to a conclusion that we would have freedom of speech, religion, assembly, the right to keep and bear arms, freedom of the press, that we would have property rights, that we would have Fourth Amendment rights against unreasonable search and seizure, that we would not have to face any kind of jury but a jury of our peers, and that we would not suffer double jeopardy and that justice would be blind and every person would stand before the law to be treated equally? The statue that we see of Lady Justice holding the scales of justice perfectly balanced is almost always shown to us blindfolded because justice is blind. But justice is not a feeling. Justice is something that has to be delivered by the law.

These are pillars of American exceptionalism, as are those rights that are not enumerated in the Constitution that devolve respectively to the States or the people, those enumerated powers that we have for Congress or those delegated to the Presidency, the executive branch, and the judicial branch of government. All of this is laid out as foundations that have been—although they've been altered to some degree over the years, we have adapted to those principles more often than we've altered our constitutional principles because our Founding Fathers got it right.

Where did that come from? How could it happen that these Founding Fathers could come together on what was an obscure place on the planet and get these ideas so well articulated that they could be the foundation of the greatest Nation the world has seen, the strongest economy the world has seen, the most dominant culture and civilization that the world has seen, the furthest reach in our economy, the furthest reach in our influence strategically?

□ 1345

How did this all happen?

And I would take you back, Mr. Speaker, to think a little bit about the formation of, I'll say, modern history. I take you back to Mosaic law before the time of Christ when Moses, who looks down upon us right now, the only face that is looking directly at us from all of these faces of law providers in history, Moses looks down over this Chamber in full-face form, and he's looking back here and he sees, as we should see, "In God We Trust," our national motto.

How did that come together, Mr. Speaker?

It was when Moses came down from the Mount with the law, God's law, and the foundation of that law, the way it was separated out through the tribes and the way the law and the way justice was delivered, emerged out of Mosaic law and appeared also in Greek law. And as the Greeks, masterful people as they were, they were shaping the Age of Reason. So we had Mosaic law that informed the Greek Age of Reason, and the Age of Reason, where I imagine that Socrates and Plato and Aristotle and other philosophers sat around and challenged each other intellectually like gunslingers did in the West with guns, they did it with their brains. And young philosophers would go up to Socrates and challenge him with their philosophy, and Socrates would take it apart because he was the top guy and he informed others. But as they were proud and prideful of their ability to reason and the culture of Greece at the time, they had to infuse Mosaic law to uphold their rationale. And some of them, as they voiced Mosaic law, were teased by other Greeks that said, Well, you got that from Moses.

But my point in this is that as civilization was progressing, Mosaic law came down from the Mount, was handed to civilization. It emerged through the Greek civilization as the Greeks were developing their Age of Reason, and we're talking about the foundation of Western civilization. And almost concurrently with that, Roman law was emerging as well.

Now, I'll take you then to the time of Christ. Christ taught us our values, the very values of repentance and redemption that didn't exist in any form before then, and that's his gift to us. But I make this point in talking about the law, and it is this:

Think of Mosaic law coming down, being infused within the Greeks, transferred also to the Romans. Roman law ruled over that part of the world where Christ stood before the high priest Caiaphas. And if you remember, Mr. Speaker, the high priest said to Jesus: Did you really say those things? Did you really preach those things?

And Jesus responded to the high priest, as the Jews were watching, he said: Ask them. They were there. They can tell you.

That was, Mr. Speaker, the assertion by Jesus that he had a right to face his

accusers. That principle remains today in our law, that we have a right to face our accusers. And when he said: Ask them. They were there. They can tell you, he's facing his accusers and demanding that they testify against him rather than make allegations behind his back.

And what happened when Jesus said that? They believed and the high priest believed that Jesus' answer was insolent and the guard struck Jesus.

Jesus said: If I speak wrongly, you must prove the wrong. If I speak rightly, why do you punish me?

He asserted his right to be innocent until proven guilty before a Roman court. Those two principles remain today in our law: a right to face your accuser; innocent until proven guilty. You face that jury of your peers, as I said. You need a quick and speedy trial. They didn't have to wonder about that in those days; it happened quickly. And the punishment came quickly as well, right or wrong.

This foundation of law was wrapped up in Roman law, and it was spread across Western Europe as the Romans occupied areas like Germany, England, as we know it today, on into Ireland. And when the Dark Ages came, when the Visigoths sacked Rome in 410 A.D., then we saw civilization itself tumble and crumble, and we saw the heathens break down anything that represented the old culture, anything that represented real civilization.

While that was going on—they were tearing buildings into rubble, they were burning anything that was written documents—while that was going on, the priests, and let me say the descendants of the disciples of Christ, began to gather up any papers and documents they could get their hands on. Some went to Rome to be secured and replicated by the monks and the scribes there. A lot went to an island off of Ireland where the monks and the scribes replicated those documents there. That was the foundation of the relearning of a civilization, a civilization that had been lived for centuries, having lost the ability to reason.

That Age of Reason that they were so proud of in the time of Socrates, Plato, and Aristotle was lost to civilization for centuries as people just lived by instinct and didn't leave much of a record of their rationale and didn't develop science, technology, or thought. And at a certain time, this information that was preserved in the documents of the classics, both Biblical and religious information, and any document that the monks and scribes could get their hands on, they preserved. And they analyzed it and they studied it, and they took a continent and taught that continent how to think.

As the church emerged from Rome and from the St. Patrick side of this thing out of Ireland, they built monasteries across the continent, and they were the centers of knowledge. They began to educate the classical information that they had preserved primarily

from the Roman but also from the Greek era, and they reeducated an entire civilization and re-created civilization based on what, Judeo-Christian values, the Age of Reason, and that reason that tied the values of faith together with the values that will allow for science to be developed.

And that brings us to that year, let's say the years emerging from the Middle Ages, and Martin Luther stepped on to the scene in the 16th century and brought us, on top of that, the Reformation Period where he made the point that cast across the globe that you can honor God in a lot of ways. A mother changing a baby's diaper honors God more than a thousand rote prayers that you don't give meaning from your heart into.

And so the Protestant work ethic got added to all these values that have been added together. And the competition between the Protestant and Catholic Church within Christianity ended up, it was rough and it was brutal, but the effect of it on our civilization and on our society has been good because the competition that drove from that made us all better, and each religion drew from the other.

And, by the way, the Eastern Church was separated when the Turks sacked Constantinople. So the Eastern Orthodox and Russian Orthodox were separated, and they evolved in a little bit different way, but we're tied together. We're tied together culturally. We're tied together historically. We're tied together by our common humanity and our belief in, and this is the unique component, their belief in redemption.

These attributes that I've discussed now, they're embodied within Western Europe as we emerge into, as we had emerged into the Age of Discovery, meaning Christopher Columbus and the explorers who came over here to the Western Hemisphere, that component, as well as a little bit later, the dawn of the Industrial Revolution.

Think about where we are here in America. We are the recipients of some of the wisest, most analytical people that the world has ever produced, our Founding Fathers. They are a product of a culture and a civilization that believed in Adam Smith's free enterprise and the rights to property, and they believed they were free men, that they were free. In fact, they said so in the Declaration of Independence when Jefferson wrote in the Declaration: A prince who exhibits the characteristics of a tyrant is unfit to be a ruler of a free people.

A free people. They saw themselves as a free people before the Declaration. They didn't become necessarily free people as a product of, although they certainly had to earn it. They declared their freedom from England, but they saw themselves as free people before they issued the Declaration of Independence.

But that brings us now to July 4, 1776. I brought this history around from a couple thousand years, or a little bit more, more than 2,000 years.

On this continent now we have the wisdom of the Founding Fathers. I believe they are inspired by God, and it was by Divine Guidance that the Declaration was written, but it arrives here this, with what, these rights that we have—freedom of speech, religion, the press, and assembly, the right to keep and bear arms. The balance of these rights from the judicial side of it, the property rights from the Fifth Amendment, the devolution of power down to the people or the States, all of this landed on a continent with unlimited natural resources, so we believed at the time. All of these rights, free enterprise, strong Judeo-Christian faith and values, the reason many came here, unlimited natural resources, and a concept of manifest destiny.

Now, who could create a giant petri dish that's so robust that it could settle a continent in the blink of a historical eye and leave such a foundation for the growth of population and the image and inspiration of faith and freedom, who could do that? Not man, but the entity that shaped their movements and their thoughts.

So here we are, the recipients, God-given liberty, defined in the Declaration. It should be inarguable. It should be unchallengeable. I think it is. But we're a Nation that cannot be reverse-engineered and come up with a better result. We're a Nation that has components of American exceptionalism, pillar after pillar of American exceptionalism, none of which can we pull out from underneath the edifice of this shining city on the hill and expect that this shining city would not collapse. Yes, it would.

And so what is our charge here? It is not as hard as the charge of our Founding Fathers. It is not as hard as those who picked up their muskets and marched into the Red Coats' muskets and the Revolution. It is not as hard as the blue and the gray that clashed all over the battlefields here in this country and put an end to slavery and reunified this country. It's not as hard as the doughboys that marched off to war. It's not as hard, certainly, as those 16 million Americans who put on uniforms to defend our country in the Second World War. It is certainly not as hard for us as the 450,000 who gave their lives during that war. It's not as hard, either, as those who marched off to Korea and are honored down here in their memorial, the memorial that says on the slab in front of them:

Our Nation honors the men and women who answered the call to defend a country they never knew and a people they never met.

None of what we are charged with right now is that hard. And yet some despair and some think that we can create this new America that is not tied to the pillars of American exceptionalism; we can sacrifice some of those principles and we'll still be a country okay because we've got some political pressure that says we should sacrifice this principle or we should

chisel away some pieces out of this beautiful marble pillar of American exceptionalism. Imagine what it would be like, which if this Congress and this culture that directs this Congress, what if we decided you're going to have limited speech. Certain things you can't say, and we'll give you the list of words you can't utter because if you do that, you're going to be violating somebody's sense of political correctness?

What if we said that you can assemble, but we're going to diminish your right to assemble because sometimes we disagree with what comes out of those meetings? You know, the Greeks did that. They had meetings in their city-states. Remember the Greek black ball system that they had. The demagogues would emerge, people that could step up before the masses in Greece and the city-state and issue a speech that was rhetorically so inspiring that the Greeks marched off in what turned out to be the wrong direction. And what would they do? They would label him a demagogue. They would bring the demagogue before the city-state and then they would excoriate him, and then they would have a vote.

It's like the Greek system today: two gourds, two marbles, one black and one white one. They called them balls, of course. As each of the Greeks walked through, they would drop their voting ball in one gourd and they would drop their discard ball in another gourd, and if the demagogue got three black balls, he was banished from the city-state for 7 years. That's how they muzzled the people that led them in the wrong direction with emotional rhetoric.

But can you imagine if we did that, if America would banish people into the hinterlands for, let's say, giving a speech that was disagreed with by three people? That's all it took—three. They were restrained, of course, because they didn't want to be the next one banished. But that was the system.

We're not going to limit freedom of speech in this country, and we're not going to limit freedom of assembly. We're not going to say you cannot get together and talk about these things because we know that an open public discourse and dialogue, what emerges from that are—we believe in this reason that we have inherited from the Greeks and other civilizations, that what will emerge is the most logical, rational policy.

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That's what I'm advocating for, Mr. Speaker. I want the most logical, rational policy. And I think we need a policy that's right for America.

I have an obligation to preserve, protect and defend the Constitution of the United States and represent my constituents and represent my State and represent my country. And all of those things should be compatible with each other. And I believe they are. And I've not found myself in a conflict here between them.

So I suggest that we have open dialogue, we have open debate. I challenge this civilization to be reasonable, have reason, be analytical, be a critical thinker.

We send our kids off to school, and sometimes they're just taught a mantra, but they're not taught to take ideas apart and understand the components of them and put them back together. Well, I've just taken America apart and described some of its essential components, history apart, and put it back together, Mr. Speaker, and, hopefully, informed this body of some of the principal reasons why America is such a great Nation.

We're a great Nation because we have God-given liberty. We would not be a great Nation if we didn't exercise those God-given liberties. If we don't have access to those rights, if we don't put our positions out there in front of the public and challenge the people in this country to analyze those alternatives—what if we went down one path?

What if some leader from on high, let's just say King George, not Prince George today, but King George, what if he decided we're going to go down this path, and no one shall discuss anything outside of this line that I've described for you?

What kind of a country would we be?

Would we believe that one mortal individual can chart a path for this country superior to the collective wisdom of 316 million people?

I don't think so, Mr. Speaker. And I don't think thinking Americans will either.

But I know that this country's full of emotionalism. As I watched the reactions to the George Zimmerman trial and verdict, I saw a lot of people who simply denied the facts that had been proven in law, and seemed to be incapable of considering anything that didn't concur with their conclusion that they had drawn before they saw the facts.

Now, I engage in this debate. I challenge people to debate with me because I believe one of two things: if I can't sustain myself in debate, I need to go get some more information. I need to get better informed. Or could it be that I'm wrong?

Only two alternatives can come from not being able to sustain yourself in a debate, and I'll go back and get all the information that I can get, but I'll also reconsider, and anybody should. That's why I challenge people to debate. I'll take it up, and we will see who can sustain themselves. We may not get this all resolved in one discussion.

In fact, in this Congress it's been a very rare thing, over the last 10-plus years that I've been here, to see anybody stand up and admit, I was wrong. What you said changes my position. What I learned changes my position.

No, there are too many egos involved in this Congress for that to happen very often. It will happen a little bit privately, it will happen incrementally, but it doesn't happen publicly, unless there's some kind of leverage brought to bear.

So here's my point, Mr. Speaker, and that is this: Our southern border is porous. It's not as porous as it was 7 or 8 years ago, mainly because the economy has grown in Mexico at about twice the rate that it's grown in the United States over the last 4½ or 5 years. We don't have as much pressure on our border.

But I can tell you this: 80 to 90 percent of the illegal drugs consumed in America come from or through Mexico. I can tell you that in Mexico they are recruiting kids to be drug smugglers. Between the ages of 11 and 18 they have arrested and, I believe, incarcerated, and the number of convictions is at least this: over 800 per year over the last couple of years at that ratio of those who are kids who are smuggling drugs into the United States.

We pick up some on our side of the border. That adds to that number, the ones that we catch. Many get away. Every night some come across the border smuggling drugs across the border. Increasingly, the higher value drugs, heroin, methamphetamine, cocaine in some form or another, are being strapped to the bodies sometimes of young girls, teenage girls.

The media is replete with this. Anybody that reads the paper should know, especially those that live on the border, should know that there are many, many young people coming across the border unlawfully who are smuggling drugs into the United States.

They should also know that now, the drug cartels, and I mean specifically, the Mexican drug cartels, have taken over drug distribution in most of the major cities in America. I think intel will tell you every major city in America. And the numbers that I've seen go from a little over 200 cities in this country to 2,000.

I don't know what population that dials it down to or what areas. I haven't seen the map. But it should be appalling to a country and a civilization to see that that's taken place.

When you understand that, according to the Drug Enforcement Agency, of every chain of illegal drug distribution we have in the country, they will tell you, at least privately, as they have to me on multiple occasions, that at least one link is illegal aliens that are smuggling drugs into the United States.

It's important that we know that as a Congress, as a country, as a civilization. If we deny those facts, if we deny the information that comes, even out of the Obama administration that certainly supports those, if you deny the information that comes out through the major media that's there, if you deny what we're told by our law enforcement officers on the border of the United States that are continually interdicting drugs at about the same rate that they did 6 or 7 or 8 years ago, when the population of illegals was flowing over the border at a faster rate than it is today, the illegal drugs coming across the border are roughly similar to that time.

That says there's still a high demand in the United States. A high demand means drugs are likely to come in. If we are enforcing our borders and tightening security the price of drugs should go up. If you look at the price of drugs, I think you're going to find that we haven't been very effective interdicting drugs coming across our southern border.

Part of that is they find new ways to smuggle, and some of those reasons are because kids are being used to smuggle drugs into the United States. That's appalling to me.

The death across the Arizona border, it's still there. It happens through the summer. And this debate taking place now in the middle of the summer is going to end up with more people being found out there on the desert, in the brush, who have lost their lives trying to get into the United States of America.

We need a secure border. We need to build a fence, a wall, and another fence, so we've got two patrolling zones. We need to put the sensory devices on top of there. We need to use our boots on the ground in the most effective way possible.

No nation should have an open borders policy. No nation should have a blind-eye policy towards the enforcement of the laws. No nation can long remain a great nation if they decide to sacrifice the rule of law on the altar of political expediency.

No nation like the United States of America can continue to grow and be a strong nation if we are going to judge people because they disagree with our agenda, rather than the content of their statement.

We have to be critical thinkers. We have to be analytical. We should understand facts from emotion.

And let's pull together, let's understand that we do have compassion. We do have compassion, for every human person deserves dignity. We need to treat them with that warmth, treat them with that love, as the American people always have, just like the Korean War veterans did when they gave themselves for a country they never knew and a people they never met.

But we must not sacrifice the rule of law on the altar of political expediency.

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.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, July 26, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2342. A letter from the Acting Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Residential Clothes Dryers and Room Air Conditioners [Docket Number: EERE-2013-BT-STD-0020] (RIN: 1904-AC98) received July 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2343. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Indirect Food Additives: Adhesives and Components of Coatings [Docket No.: FDA-2012-F-0728] received July 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2344. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Community Right-to-Know; Direct Final Rule to Adopt 2012 North American Industry Classification System (NAICS) Codes for Toxics Release Inventory (TRI) Reporting; Direct Final Rule [EPA-HQ-OEI-2011-0979; FRL-9825-8] (RIN: 2025-AA36) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2345. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: The 2013 Critical Use Exemption from the Phaseout of Methyl Bromide [EPA-HQ-OAR-2010-0280; FRL-9809-7] (RIN: 2060-AR41) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2346. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Outer Banks Bluegrass Festival; Shallowbag Bay, Manteo, NC [Docket No.: USCG-2013-0330] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2347. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Areas; Bars along the Coasts of Oregon and Washington [Docket No.: USCG-2013-0216] (RIN: 1625-AC01) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2348. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Tall Ships Celebration Bay City, Bay City, MI [Docket No.: USCG-2013-0368] (RIN: 1625-AA08) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2349. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Summer in the City Water Ski Show; Fox River, Green Bay, WI [Docket No.: USCG-2013-0541] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2350. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone, Sugar House Casino Fireworks Display, Delaware River; Philadelphia, PA [Docket No.: USCG-2013-0495] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2351. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fifth Coast Guard District Fireworks Displays, Delaware River; Philadelphia, PA [Docket No.: USCG-2013-0495] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2352. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Grand Haven 4th of July fireworks; Grand River; Grand Haven, MI [Docket No.: USCG-2013-0547] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2353. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Margate Mother's Association Fireworks Display, Atlantic Ocean; Margate, NJ [Docket No.: USCG-2013-0494] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2354. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Dinghy Poker Run, Middle River; Baltimore County, Essex, MD [Docket No.: USCG-2013-0489] (RIN: 1625-AA08) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2355. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Feast of Lanterns Fireworks Display, Pacific Grove, CA [Docket No.: USCG-2013-0238] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2356. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fairfield Estates Fireworks Display, Atlantic Ocean, Sagaponack, NY [Docket No.: USCG-2013-0212] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2357. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fifth Coast Guard District Fireworks Display Cape Fear River; Wilmington, NC [Docket No.: USCG-2013-0115] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2358. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Skagit River Bridge, Skagit River, Mount Vernon, WA [Docket No.: USCG-2012-0449] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2359. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Venetian Fireworks; Kalamazoo Lake, Saugatuck, MI [Docket No.: USCG-2013-0539] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2360. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Marine Vapor Control Systems [USCG-1999-5150] (RIN: 1625-AB37) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2361. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbojet Engines [Docket No.: FAA-2012-1331; Directorate Identifier 2012-NE-44-AD; Amendment 39-17473; AD 2013-11-13] (RIN: 2120-AA64) received July 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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 Ms. MCCOLLUM (for herself, Mr. MCGOVERN, Mr. SCHOCK, Mr. CLAY, Mr. RANGEL, Ms. MOORE, Ms. SCHAKOWSKY, Mr. RUSH, Mr. GARAMENDI, Mr. HONDA, Mr. MORAN, Mr. POLIS, Mr. KILMER, and Mr. COHEN):

H.R. 2822. A bill to establish the United States comprehensive strategy for assistance to developing countries to achieve food and nutrition security, increase sustainable and equitable agricultural development, reduce hunger, improve nutrition, and develop rural infrastructure and stimulate rural economies, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TERRY (for himself, Mr. LATTA, and Mrs. WALORSKI):

H.R. 2823. A bill to require the Administrator of the Environmental Protection Agency and the Secretary of Energy to conduct a fuel system requirements harmonization study, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Ohio (for himself and Mr. LAMBORN):

H.R. 2824. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes; to the Committee on Natural Resources.

By Mr. CARTWRIGHT (for himself, Mr.

BLUMENAUER, Mr. CAPUANO, Mr. COHEN, Mr. CONNOLLY, Mr. CUMMINGS, Mr. DEFazio, Mr. DEUTCH, Ms. ESHOO, Mr. GRAYSON, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HUFFMAN, Mr. ISRAEL, Mr. KEATING, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE of California, Ms. LOFGREN, Mr. LOWENTHAL, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PAYNE, Mr. POCAN, Mr. POLIS, Mr. RANGEL, Ms. SCHAKOWSKY, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. VARGAS, Mr. QUIGLEY, Mr. TAKANO, Mr. TONKO, Mr. FARR, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE, Mr. SARBANES, Ms. SCHWARTZ, Mr. NOLAN, and Mr. SHERMAN):

H.R. 2825. A bill to require regulation of wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy under the Solid Waste Disposal Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself, Mr. YOUNG of Indiana, Mr. KELLY of Pennsylvania, Mr. GRIFFIN of Arkansas, Mr. RENACCI, Mr. BOUSTANY, and Mr. REED):

H.R. 2826. A bill to amend title III of the Social Security Act to prevent the payment of unemployment benefits to incarcerated individuals; to the Committee on Ways and Means.

By Mr. JOHNSON of Georgia (for himself, Mr. JONES, Mr. MCKINLEY, and Mr. BRALEY of Iowa):

H.R. 2827. A bill to amend title XVIII of the Social Security Act to allow for fair application of the exceptions process for drugs in tiers in formularies in prescription drug plans under Medicare part D; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. BILIRAKIS:

H.R. 2828. A bill to amend titles XI and XVIII of the Social Security Act to prevent fraud and abuse under the Medicare program and to require National Provider Identifiers for reimbursement of prescriptions under part D of the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. CULBERSON (for himself and Mr. ROKITA):

H.R. 2829. A bill to amend the National Voter Registration Act of 1993 to require an applicant for voter registration for elections for Federal office to affirmatively state that the applicant meets the eligibility requirements for voting in such elections as a condition of completing the application, to require States to verify that an applicant for registering to vote in such elections meets the eligibility requirements for voting in such elections prior to registering the applicant to vote, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Ways and Means, 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. MCCAUL:

H.R. 2830. A bill to prohibit assistance to foreign countries whose governments hold more than \$500,000,000,000 in United States Treasury securities, and for other purposes; to the Committee on Foreign Affairs.

By Ms. DELAURO (for herself, Ms. LEE of California, Mr. DEFAZIO, Mr. CLAY, and Mr. GRIJALVA):

H.R. 2831. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for marketing directed at children to promote the consumption of food of poor nutritional quality; to the Committee on Ways and Means.

By Mr. GARDNER (for himself and Mr. POLIS):

H.R. 2832. A bill to amend the Internal Revenue Code of 1986 to facilitate program-related investments by private foundations; to the Committee on Ways and Means.

By Mr. GINGREY of Georgia (for himself, Mr. BURGESS, Mr. HARRIS, Mr. DESJARLAIS, Mr. CASSIDY, Mr. ROE of Tennessee, and Mr. JONES):

H.R. 2833. A bill to amend the Patient Protection and Affordable Care Act so as to eliminate the authority of the Secretary of Health and Human Services to limit the ability of medical providers to conduct lawful business, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HOLT:

H.R. 2834. A bill to include under Federal laws granting rights and responsibilities to

married couples other couples in other legal unions similar to marriage, including domestic partnerships and civil unions; to the Committee on the Judiciary.

By Ms. JENKINS (for herself, Mr. BARROW of Georgia, Mr. MCKINLEY, Mr. GERLACH, Mr. BRADY of Texas, Mr. JOHNSON of Ohio, and Mr. HARRIS):

H.R. 2835. A bill to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements; to the Committee on Ways and Means.

By Mr. KING of New York (for himself, Mr. LYNCH, Mr. ENGEL, Mr. MCGOVERN, Mr. NEAL, Mr. BISHOP of New York, and Mr. KENNEDY):

H.R. 2836. A bill to strengthen the enforcement of background checks with respect to the use of explosive materials; to the Committee on the Judiciary.

By Mr. MEEHAN (for himself, Mr. LANKFORD, Mr. ROGERS of Alabama, Mr. HASTINGS of Washington, Mr. FARENTHOLD, Mr. KELLY of Pennsylvania, Mr. GRIFFIN of Arkansas, Mr. GOWDY, Mrs. ELLMERS, Mr. GIBBS, Mr. BUCSHON, Mr. POSEY, Mr. MURPHY of Pennsylvania, Mr. JORDAN, Mr. DAINES, Mr. LANCE, and Mr. MCHENRY):

H.R. 2837. A bill to prohibit for a one-year period beginning September 30, 2013, the implementation, operation, and coordination of a Federal Data Services Hub or any similar database system for determining or verifying eligibility under the Patient Protection and Affordable Care Act; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. PIERLUISI:

H.R. 2838. A bill to amend title 46, United States Code, with respect to coastwise endorsements and Puerto Rico, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POCAN (for himself, Mr. RANGEL, Mr. ANDREWS, Mr. BISHOP of New York, Mr. BISHOP of Georgia, Ms. BROWNLEY of California, Mrs. BUSTOS, Mrs. CAPPS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Ms. DELAURO, Ms. DELBENE, Mr. DEUTCH, Mr. DINGELL, Mr. ELLISON, Mr. ENGEL, Ms. ESTY, Mr. FARR, Mr. FATTAH, Ms. FRANKEL of Florida, Ms. GABBARD, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HIMES, Mr. HOLT, Mr. HORSFORD, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Mr. KIND, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE of California, Mr. LEWIS, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJÁN GRISHAM of New Mexico, Mr. MAFFEI, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MICHAUD, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Florida, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. PASTOR

of Arizona, Mr. PAYNE, Mr. PETERS of California, Ms. PINGREE of Maine, Mr. POLIS, Mr. QUILLEY, Ms. ROSLEHTINEN, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Ms. SCHWARTZ, Ms. SHEA-PORTER, Ms. SINEMA, Ms. SLAUGHTER, Ms. SPEIER, Mr. TAKANO, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. WAXMAN, Mr. WELCH, and Ms. WILSON of Florida):

H.R. 2839. A bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes; to the Committee on Armed Services.

By Mr. RADEL:

H.R. 2840. A bill to amend the Agricultural Adjustment Act to exclude raisins from agricultural marketing orders; to the Committee on Agriculture.

By Mr. RAHALL:

H.R. 2841. A bill to amend title 10, United States Code, to ensure that the Secretary of Defense affords each member of a reserve component of the Armed Forces with the opportunity for a physical examination before the member separates from the Armed Forces; to the Committee on Armed Services.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. LOBIONDO, Mrs. NAPOLITANO, Mr. VARGAS, Mr. ISSA, Mr. SALMON, Mr. HUNTER, Mr. BARROW of Georgia, and Mr. PETERS of California):

H.R. 2842. A bill to create competition in the Department of Agriculture's canned tuna purchasing program to strengthen the Department's buying power, increase the availability of canned tuna to school lunch, child nutrition, and other Federal nutrition programs, and create jobs in the domestic canning industry; to the Committee on Agriculture, and in addition to the Committee on 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. SENSENBRENNER (for himself and Mr. CUMMINGS):

H.R. 2843. A bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KELLY of Illinois (for herself, Mr. RICHMOND, Mr. LEWIS, Mr. HASTINGS of Florida, Mr. BISHOP of Georgia, Mr. CARSON of Indiana, Mr. CLEAVER, Mr. THOMPSON of Mississippi, Mr. CLAY, Ms. LEE of California, Ms. FUDGE, Ms. MOORE, Mr. DAVID SCOTT of Georgia, Ms. BROWN of Florida, Ms. NORTON, Mr. JEFFRIES, Mr. MEEKS, Mr. PAYNE, Ms. BASS, Mr. CUMMINGS, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CLARKE, Ms. WATERS, Mrs. CHRISTENSEN, Ms. EDWARDS, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, Ms. JACKSON LEE, and Mr. RANGEL):

H. Res. 318. A resolution expressing disapproval over the gun violence plaguing America's communities, and calling on the Congress to enact comprehensive gun reforms that reduce gun violence; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY
STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. MCCOLLUM:

H.R. 2822.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers."

By Mr. TERRY:

H.R. 2823.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Cl. 3

By Mr. JOHNSON of Ohio:

H.R. 2824.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

By Mr. CARTWRIGHT:

H.R. 2825.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. REICHERT:

H.R. 2826.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. JOHNSON of Georgia:

H.R. 2827.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution, which sets forth the constitutional authority of Congress to regulate interstate commerce.

By Mr. BILIRAKIS:

H.R. 2828.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 which states that "the Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the . . . general Welfare of the United States . . ."

By Mr. CULBERSON:

H.R. 2829.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1

By Mr. MCCAUL:

H.R. 2830.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 2.

By Ms. DELAURO:

H.R. 2831.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. GARDNER:

H.R. 2832.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vest-

ed by this Constitution in the Government of the United States, or in any Department or Office thereof.

By Mr. GINGREY of Georgia:

H.R. 2833.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this legislation is based is found in Article I, Section 8, Clause 18 of the Constitution, as it is necessary and proper to protect patients and the doctor/ patient relationship.

By Mr. HOLT:

H.R. 2834.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States

By Ms. JENKINS:

H.R. 2835.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. KING of New York:

H.R. 2836.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MEEHAN:

H.R. 2837.

Congress has the power to enact this legislation pursuant to the following:

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. PIERLUISI:

H.R. 2838.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to regulate Commerce among the several States, as enumerated in Article I, Section 8, Clause 3 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Mr. POCAN:

H.R. 2839.

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, of the United States Constitution.

By Mr. RADEL:

H.R. 2840.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. RAHALL:

H.R. 2841.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution, specifically clause 14 (relating to the power of Congress to make rules for

the government and regulation of the land and naval forces), clause 16 (relating to the power of Congress to provide for organizing, arming, and disciplining the militia), and clause 18 (relating to the power of Congress to make all laws necessary and proper for carrying out the powers vested in Congress)

By Ms. LINDA T. SANCHEZ of California:

H.R. 2842.

Congress has the power to enact this legislation pursuant to the following:

Article One of the United States Constitution, section 8, clause 18:

The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

or

Article One of the United States Constitution, Section 8, Clause 3:

The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Mr. SENSENBRENNER:

H.R. 2843.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution which grants the power to Congress "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 22: Mr. MARINO.
 H.R. 38: Mr. SCHNEIDER.
 H.R. 207: Mr. WEBER of Texas.
 H.R. 262: Ms. WATERS.
 H.R. 301: Mr. LAMBORN, Mr. CARTWRIGHT, Mr. ANDREWS, and Mr. BACHUS.
 H.R. 309: Mr. AUSTIN SCOTT of Georgia.
 H.R. 313: Mr. FITZPATRICK.
 H.R. 494: Mr. NOLAN, Mr. HARRIS, Mr. THOMPSON of California, Mr. McDERMOTT, and Mr. MCINTYRE.
 H.R. 495: Mr. PITTENGER.
 H.R. 525: Ms. LOFGREN.
 H.R. 526: Mr. COURTNEY.
 H.R. 647: Mr. DENT, Mr. GRAYSON, Mr. LAMALFA, Mr. BISHOP of Utah, and Mr. BUCHANAN.
 H.R. 698: Mr. LIPINSKI.
 H.R. 713: Mr. NUNES, Mrs. NAPOLITANO, Mrs. NEGRETE McLEOD, Ms. MATSUI, Mr. LONG, Ms. HANABUSA, Mr. WHITFIELD, Mr. COURTNEY, Mr. OWENS, Mrs. DAVIS of California, Mr. THOMPSON of Pennsylvania, Mr. YARMUTH, Mr. MCGOVERN, and Mr. ANDREWS.
 H.R. 847: Mr. HINOJOSA.
 H.R. 855: Mr. WELCH and Mr. CASTRO of Texas.
 H.R. 900: Mr. O'ROURKE.
 H.R. 901: Mr. LIPINSKI.
 H.R. 911: Mr. MULLIN.
 H.R. 920: Mr. LIPINSKI.
 H.R. 924: Mr. PAYNE.
 H.R. 938: Mr. PRICE of North Carolina, Mr. HARPER, and Mr. COOPER.
 H.R. 940: Mr. COOK.
 H.R. 946: Mr. HUDSON.
 H.R. 961: Mr. MURPHY of Florida.
 H.R. 1000: Mr. TAKANO.
 H.R. 1024: Ms. MOORE, Ms. LINDA T. SAÑCHEZ of California, Mr. ROGERS of Michigan, and Mr. DESANTIS.
 H.R. 1091: Mr. BUCHSON, Mr. GOWDY, Mrs. BACHMANN, and Mr. HURT.

- H.R. 1176: Mr. SAM JOHNSON of Texas.
H.R. 1201: Mrs. BEATTY and Mr. SALMON.
H.R. 1240: Mr. CARTWRIGHT.
H.R. 1250: Mr. MCGOVERN.
H.R. 1263: Mr. ROGERS of Michigan.
H.R. 1288: Mr. FARENTHOLD and Mr. SIRES.
H.R. 1318: Ms. KELLY of Illinois.
H.R. 1346: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NADLER, Ms. CLARKE, Mr. NOLAN, and Mr. KILDEE.
H.R. 1362: Mr. McDERMOTT.
H.R. 1414: Ms. BONAMICI and Mr. RYAN of Ohio.
H.R. 1428: Mr. LEWIS, Mr. COHEN, and Mr. MARCHANT.
H.R. 1449: Mr. YARMUTH.
H.R. 1473: Mr. FLEISCHMANN and Mr. LIPINSKI.
H.R. 1563: Mr. HANNA.
H.R. 1667: Mr. McDERMOTT.
H.R. 1695: Mr. FARR, Mr. O'ROURKE, and Ms. LOFGREN.
H.R. 1732: Mr. COOK.
H.R. 1749: Mr. CARTWRIGHT.
H.R. 1801: Mr. LIPINSKI, Mr. BISHOP of New York, Mr. SCHIFF, and Mr. KENNEDY.
H.R. 1814: Mr. DOYLE, Mr. SHIMKUS, Mr. WEBER of Texas, Mr. ROTHFUS, Mr. KILMER, and Mr. ISSA.
H.R. 1816: Mr. GALLEGRO.
H.R. 1845: Mr. BLUMENAUER.
H.R. 1891: Mr. CARTWRIGHT.
H.R. 1918: Mr. DANNY K. DAVIS of Illinois.
H.R. 1980: Mr. ENYART.
H.R. 2000: Mr. CÁRDENAS.
H.R. 2002: Mr. CARTWRIGHT.
H.R. 2011: Mr. CARTWRIGHT and Mr. CARNEY.
H.R. 2026: Mr. FORBES.
H.R. 2036: Mr. CARTWRIGHT.
H.R. 2058: Mr. COHEN, Mr. CARTWRIGHT, and Ms. ESHOO.
H.R. 2085: Mr. KELLY of Pennsylvania.
H.R. 2086: Mr. COBLE and Mr. HASTINGS of Florida.
H.R. 2116: Mr. SCOTT of Virginia, Mr. RYAN of Ohio, and Ms. FUDGE.
H.R. 2137: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2144: Mr. CAPUANO.
H.R. 2237: Mr. CARTWRIGHT.
- H.R. 2288: Mr. SWALWELL of California.
H.R. 2305: Ms. SCHWARTZ and Mr. BLUMENAUER.
H.R. 2328: Ms. GRANGER.
H.R. 2368: Ms. LOFGREN.
H.R. 2369: Mr. WATT, Mr. COHEN, Mr. MORAN, and Mr. HASTINGS of Florida.
H.R. 2372: Mr. WATT, Mr. COHEN, and Mr. HASTINGS of Florida.
H.R. 2417: Mr. SAM JOHNSON of Texas.
H.R. 2429: Mrs. BACHMANN.
H.R. 2445: Mr. PERRY.
H.R. 2453: Mrs. BLACKBURN, Mr. PEARCE, and Mr. PAULSEN.
H.R. 2468: Mr. GRIMM and Ms. NORTON.
H.R. 2475: Mr. GRIFFITH of Virginia, Ms. LEE of California, Mr. CONNOLLY, and Mr. MORAN.
H.R. 2484: Mr. YOHO.
H.R. 2495: Mr. FOSTER.
H.R. 2500: Mr. WALDEN.
H.R. 2511: Mr. FLEISCHMANN.
H.R. 2530: Mr. GRIFFIN of Arkansas, Mr. BRADY of Texas, and Mr. RADEL.
H.R. 2531: Mr. GRIFFIN of Arkansas, Mr. BRADY of Texas, and Mr. RADEL.
H.R. 2532: Mr. GRIFFIN of Arkansas, Mr. BRADY of Texas, and Mr. RADEL.
H.R. 2533: Mr. GRIFFIN of Arkansas, Mr. BRADY of Texas, and Mr. RADEL.
H.R. 2539: Mr. COHEN.
H.R. 2541: Mr. SMITH of Texas.
H.R. 2575: Mr. PETRI, Mr. MICA, and Mr. MARINO.
H.R. 2590: Mr. BUCHANAN and Mrs. BEATTY.
H.R. 2663: Mr. TIPTON.
H.R. 2682: Mr. DESJARLAIS.
H.R. 2690: Mr. KEATING, Mr. WELCH, Mr. GRAYSON, Mr. CLAY, and Mr. CÁRDENAS.
H.R. 2692: Mr. DUNCAN of Tennessee, Ms. BORDALLO, Ms. SPEIER, Ms. LEE of California, and Mr. NADLER.
H.R. 2717: Mr. PEARCE and Mr. POMPEO.
H.R. 2745: Mr. FORBES.
H.R. 2761: Ms. SINEMA, Mr. CONNOLLY, and Ms. SCHAKOWSKY.
H.R. 2764: Mr. KINGSTON and Mr. BRIDENSTINE.
H.R. 2768: Mr. GRIFFIN of Arkansas and Mr. WEBSTER of Florida.
H.R. 2769: Mr. GRIFFIN of Arkansas.
- H.R. 2772: Ms. FUDGE, Mr. JOYCE, Mr. MEEHAN, and Ms. MOORE.
H.R. 2775: Mr. MEEHAN, Mr. BOUSTANY, Mr. BURGESS, Mr. WENSTRUP, Mr. GRIFFIN of Arkansas, Mr. DESJARLAIS, Mr. FLEISCHMANN, Mr. BENISHEK, Mr. THORNBERRY, Mr. GERLACH, Mr. BUCSHON, Mr. TIBERI, Mr. NUNES, Mr. REED, Mr. ROSKAM, Mr. REICHERT, Mr. FINCHER, Mr. ROE of Tennessee, Mr. FLEMING, Mr. BILIRAKIS, Mr. DUNCAN of Tennessee, Mr. LANKFORD, Mr. WOMACK, Mr. MCKINLEY, Mr. ROGERS of Alabama, Mr. ALEXANDER, Mr. BARTON, Mr. CHAFFETZ, Mr. SCHOCK, Mr. BUCHANAN, Mr. MCCAUL, Mr. FLORES, Mr. WEBER of Texas, Mr. OLSON, Mr. KELLY of Pennsylvania, Mr. BARR, Mr. ROTHFUS, and Mr. RYAN of Wisconsin.
H.R. 2780: Mr. McDERMOTT, Ms. LEE of California, Mr. SMITH of Washington, Mr. HOLT, Ms. CLARKE, Ms. SPEIER, Ms. WATERS, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 2805: Mr. VARGAS, Mr. CULBERSON, Mr. NEUGEBAUER, Mr. HENSARLING, Mr. THORNBERRY, Mr. SAM JOHNSON of Texas, Mr. FLORES, Mr. CARTER, Mr. WILLIAMS, Mr. CONAWAY, Mr. SESSIONS, Mr. STOCKMAN, and Mr. WEBER of Texas.
H.R. 2807: Mr. THOMPSON of Mississippi.
H.R. 2812: Ms. LEE of California, Mr. DAVID SCOTT of Georgia, and Mr. CLAY.
H.J. Res. 24: Mr. BENISHEK.
H.J. Res. 51: Mr. MILLER of Florida.
H. Res. 75: Mr. COHEN.
H. Res. 101: Mr. WOLF.
H. Res. 109: Mr. ENGEL and Mrs. BEATTY.
H. Res. 111: Mr. POE of Texas.
H. Res. 236: Mr. THOMPSON of California.
H. Res. 280: Mr. GRIFFIN of Arkansas, Mr. BRADY of Texas, and Mr. RADEL.
H. Res. 281: Mr. POLIS, Mr. WALBERG, Mr. GRIFFIN of Arkansas, Mr. GRIMM, Mr. Marchant, Mr. FITZPATRICK, Mr. SENSENBRENNER, Mr. DANNY K. DAVIS of Illinois, Ms. VELÁZQUEZ, Mr. FRELINGHUYSEN, and Mr. POE of Texas.
H. Res. 284: Mr. JOHNSON of Ohio.
H. Res. 293: Mr. CARTWRIGHT, Ms. GABBARD, Mr. MCHENRY, Mr. DENHAM, and Mrs. BUSTOS.
H. Res. 304: Mr. MCGOVERN.