



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, WEDNESDAY, JULY 22, 2015

No. 115

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. TIPTON).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 22, 2015.

I hereby appoint the Honorable SCOTT R. TIPTON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

IRAN AGREEMENT

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

Mr. BLUMENAUER. Mr. Speaker, it was interesting to listen to some of the congressional reactions after the United Nations Security Council on Monday unanimously approved a resolution that creates a basis for international economic sanctions against Iran to be lifted.

This was a 15-0 vote for the 104-page resolution that lays out the steps required for lifting the United Nations

sanctions. Importantly, it sets up a way to renew sanctions if Iran does not abide by its commitments.

If we get into a dispute over Iran's enrichment activities, these sanctions automatically snap back after 30 days; and the United States, as a member of the Security Council, could veto any effort to change that. The United States controls the snap back.

Congress should not be annoyed but, instead, should understand and appreciate the unanimous support from the major countries that helped secure the agreement and enforce sanctions in the first place.

The United States did not bring Iran to the negotiating table by itself. We have been sanctioning Iran for years with far more stringent and stronger economic body blows, but they didn't bite until we were joined by other powerful countries.

It required Japan and India not to buy Iranian oil and the unanimous support of the U.N. Security Council, plus Germany, the so-called P5+1, to hammer this out.

This is vital information for Congress to evaluate. Were we to walk away from this historic international agreement that has the participation of all the other major powers and the consumers of Iranian oil, we would be on our own.

If we repudiate this hard-fought, carefully crafted diplomatic solution, we will be in an infinitely weaker position, Iran free to go about its business, and the support of those other countries that was so vital will melt away.

There is a reason why 100 distinguished former administration officials, diplomats, and military officials from all across the political spectrum with backgrounds in Democratic and Republican administrations alike endorsed the proposal this week.

This is the best solution in a difficult part of the world with a country that has been difficult to work with, to say

the least, that has been involved with bad behavior and which has been bent on developing the capacity to create a nuclear weapon. We all want to prevent that or at least delay it as long as possible.

This agreement achieves that additional time, 10 years or more. It has strong, enforceable sanctions in the event of failure; and the inspections regime, the controls over the Iranian nuclear power program continue for 10 years or more. Some are permanent.

This is a watershed moment in American diplomacy, an opportunity to get past the troubled history for decades on a more positive footing. Iran, to this point, has lived up to its agreements; and we have watched their nuclear activity being dialed back and openness expanded, which would have been unthinkable 3 years ago.

Last and most important to consider, the opponents of this agreement have no good alternative. They may huff and puff about all options being on the table; but realistically, the American public has little appetite for a war with Iran, a country bigger than Afghanistan and Iraq combined, with a population more than twice as large, well-educated and sophisticated.

An attack would bring about unthinkable circumstances, even if the American public were likely to accept it, which is highly unlikely; and, of course, the United States will have squandered the alliance with the world's most powerful countries. They are aligned with us today, but it would be difficult, if not impossible, to get them back on our side again if we can't take yes for an answer.

Congress should stop hyperventilating, look at the evidence, and we should move forward to support diplomacy as our best chance to prevent a nuclear-armed Iran and chaos in the Middle East.

□ 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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ARREST STATISTICS REPORTING
ACT OF 2015

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, America's policymakers face an information gap that undermines our ability to make the immigration policy decisions needed to protect American lives from the threat posed by illegal aliens.

What information gap? It is crime statistics that reflect criminal conduct by illegal aliens.

The horrifying murder of 32-year-old Kate Steinle in San Francisco has, once again, put crime by illegal aliens in the national spotlight; but this issue should always be in the spotlight because it daily affects American citizens across the country, despite pro-amnesty forces' best efforts to suppress politically inconvenient truths about illegal alien crime in America.

The fact is America's crime data for illegal aliens is inadequate. While we have access to Federal sentencing data for illegal aliens, illegal aliens crime data for cities, counties, and States is just not there. For example, while illegal aliens are roughly 3.5 percent of America's population, the United States Sentencing Commission data reflects that, out of 74,911 Federal sentencing cases, illegal aliens committed 17 percent of drug trafficking, 20 percent of kidnapping/hostage taking, 12 percent of money laundering, 12 percent of murders, and a whopping 74 percent of drug possession felonies.

If this Federal data is any indicator, illegal aliens are far more likely to commit violent and dangerous crimes than the average American or lawful immigrant. The absence of State and local law enforcement data is critical because most heinous crimes—such as murder, rape, violent assaults, and the like—are prosecuted at the State level.

As of today, the Federal Government does not publicly report State and local illegal alien crime data, thus undermining our understanding of how bad the illegal alien crime problem is and what we must do to address it.

A report released this past Monday, July 20, by the Center for Immigration Studies found that, according to Census Bureau data, 2.5 million illegal aliens, at the rate of 400,000 per year, have been added to America's illegal alien problem since President Obama took office. America's policymakers need empirical data showing how many Americans are horribly victimized by the millions of illegal aliens this and other administrations have allowed into our country.

While we have daily access to the endless stream of anecdotal, gruesome news reports of yet another illegal alien taking yet another American citizen's life, we need "big picture" data to rebut the liberal left's mantra that illegal aliens are as clean, innocent, and pure as freshly fallen snow.

For example, in my district, which has Redstone Arsenal, one of America's premier military facilities, more Americans have been killed by illegal aliens than my district has lost in Afghanistan, in Iraq, to the Islamic State, to al Qaeda, and to the Taliban combined.

Is Alabama's Fifth Congressional District's experience with illegal aliens an anomaly? Or is illegal alien crime as bad in the rest of America?

Mr. Speaker, in order to make good policy decisions, America's policymakers need better data. I have introduced a bill to help. My bill, the Arrest Statistics Reporting Act, does two things.

First, it requires that arrest reports already sent to the FBI by State and local governments include the best known immigration status of the arrestee. Second, it requires the Federal Government to publish illegal alien crime data in the FBI's annual crime statistics reports.

This data will better inform the public and lawmakers about illegal alien crime and empower us to make the decisions needed to protect American lives.

Mr. Speaker, honest immigration debate requires the best crime data. My bill, the Arrest Statistics Reporting Act, will help us obtain it.

VIOLENCE IN MEXICO

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

Mr. SCHIFF. Mr. Speaker, earlier this month, Americans were riveted by news that infamous drug lord Joaquin Guzman, better known as El Chapo, had escaped from a maximum security prison in Mexico.

It took this spectacular movie-style breakout to return Mexico and its drug cartels to our national attention, and that is a problem.

When ruthless, barbaric criminals terrorize an innocent population halfway around the world, America notices. We rightly rise up as one to decry the horrific violence perpetrated by ISIL in Syria and Iraq, recoiling in horror at the news of rapes, beheadings, and savagery run amok; yet, when similar violence is visited upon an innocent population in our own backyard, why are we not similarly outraged?

Earlier this year, Aide Nava was beheaded by ruthless thugs not halfway around the world, but in the Mexican state of Guerrero, less than 1,000 miles from the U.S. border. Ms. Nava's death was not an isolated incident, nor was it random. She was a candidate for mayor of her town. Her husband had been mayor until last year, when he was assassinated.

A note found near her body warned of similar treatment for other politicians who did not fall in line and was signed "Los Rojos," the name of one of Guerrero's largest criminal organizations.

If violence in the state of Guerrero sounds familiar, it should. In the town

of Iguala in Guerrero, just last year, 43 students engaged in a peaceful protest were kidnapped, murdered, and cremated in a mass grave.

Those 43 are but a tiny fraction of the tens of thousands of Mexicans who have been murdered by Mexican drug cartels over the last decade, including at least four candidates and more than a dozen campaign workers during this year's midterm elections. Disturbingly, violence against women in particular has skyrocketed, and the rate at which women are murdered in Mexico is now double the global average.

Meanwhile, a cowed and corrupt leadership seems powerless to stop any of this and may even be actively abetting the violence.

We know that drug use in the United States has regrettably contributed to the conditions that have allowed this violence to spread. The money that fuels the drug cartels comes in large part from narcotics sales north of the Rio Grande.

Just as the drugs flow north, the guns flow south. I have addressed this Chamber in support of legislation countering the sale of guns through "straw purchasers," which are then sent across the border.

This mutually destructive trade of guns and drugs cannot be allowed to continue unabated. More sensible treatment of drug addiction at home and more commonsense gun laws would not only help our own country, but also reduce chaos in the neighborhood.

The U.S. has done much to assist Mexico in countering cartel violence, primarily through the Merida Initiative, a counterdrug and anticrime assistance package.

Since 2008, we have provided Mexico with over \$2.5 billion for the Merida Initiative, whose strategy focuses on disrupting criminal groups, institutionalizing the rule of law, creating a 21st century border, and building strong and resilient communities.

The reforms or money supports have been painfully slow in coming. It is still the case that only 25 percent of the crimes in Mexico are reported, fewer than 5 percent are investigated, and fewer than 2 percent ultimately move to trial and sentencing.

The problem in Mexico is not simply a lack of resources; it appears to be a lack of will. The active presence of corruption and official collusion squelches free speech, causing citizens to fear their elected officials, allowing the rule of law to fail.

□ 1015

Those 43 murdered students appear to have been killed with the knowledge and participation of the local police force on orders from Iguala's mayor and his wife. It is a dramatic story, but not unusual one, a story of corruption and impunity in officialdom.

Sadly, those who tell the story, including journalists, human rights activists, and even brave victims willing to speak out, too often meet fates similar to the students of Iguala.

Indeed, within the last months, three journalists have been murdered in three different Mexican states, joining the tragic toll of more than 50 Mexican journalists killed or disappeared since 2007.

I wish, Mr. Speaker, I stood before you today with a simple solution to these problems. I do not. But I do know that the struggle of the Mexican people for a peaceful, safe, and well-governed nation is our struggle as well. They must know that we are paying attention and that we recognize that Mexico's problems are also our own.

DODD-FRANK WALL STREET REFORM ACT

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

Mr. HARDY. Mr. Speaker, I rise today to discuss the unfortunate Dodd-Frank Wall Street Act.

This week marks the fifth anniversary of the signing of the law that was the Democratic answer to the recession that impacted our Nation.

My State, the State of Nevada, was devastated by the meltdown which started with the weakening of the credit standards, and it erupted into foreclosures that brought our fiscal system to the edge of the cliff.

At the peak of the recession, Nevada had an unemployment rate of 13.7 percent. Nevadans all over the State were losing their jobs, their homes, and their businesses.

The Democratically controlled Congress and the Democratically controlled White House responded with regulation after regulation on the false pretense that the crash was caused by the lack of rules.

Five years in and what do we have today? We have for the first time in over three decades more small businesses failing than being started. Think about that. We have more small business deaths than we have small business births.

The life blood of our Nation lies with small businesses. According to the 2012 data from the Small Business Administration, 64 percent of all private-sector jobs were created by small businesses. Half of all people employed in this country work for small businesses.

I am going to repeat we now have more small business deaths than we have small businesses being started. They are being suffocated by 400 new Federal regulations.

One-size-fits-all rules have impacted small bankers, so much that we have less community banks now than we had before Dodd-Frank.

These small community banks serve my constituents. They serve the neighbors of my district. They serve the neighborhoods of our country.

These community banks were not the banks making the risky loans. They were building strong relationships with their customers, but now, because of Dodd-Frank, there are fewer of them.

How did Dodd-Frank address Fannie Mae and Freddie Mac? It didn't. It didn't reform Fannie or Freddie. Dodd-Frank, in essence, is top-down governance from Washington bureaucrats.

Instead of ending too-big-to-fail, regulators inserted it into law. We now have SIFIs, systemically important financial institutions.

If a bank is defined as a SIFI, it will surely be the first to be bailed out because they are systemically too important.

This presents a problem of moral hazard. Dodd-Frank put it in law that they will be bailed out by Americans and their hard-earned money. Dodd-Frank was supposed to end this practice and it was supposed to protect the consumer.

After 5 years, we now have SIFIs. We now have fewer community banks. Simply put, our businesses are facing higher borrowing costs and the inability to create jobs.

Nevada today has an unemployment rate of 6.9 percent. Nevadans don't want more regulations, they want more jobs. Like all Americans, they want more opportunities. They want access to capital to start their new companies and businesses.

Mr. Speaker, unfortunately, the burdensome Dodd-Frank law is still churning out final rules. Americans will continue to face the red tape during this slog of a recovery.

ELEMENTARY AND SECONDARY EDUCATION ACT REAUTHORIZATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, last week, thanks to the leadership of the Senate HELP Committee, Chairman LAMAR ALEXANDER and Ranking Member PATTY MURRAY, the Senate passed a bipartisan bill known as the Every Child Achieves Act that would reauthorize the Elementary and Secondary Education Act. This is the law the Federal Government has with respect to kindergarten through twelfth grade education.

I applaud my Senate colleagues for reaching across the aisle and working collectively in good faith to expand access to early childhood education to improve programs for English language learners and to ensure accountability in serving our neediest students.

It is far from perfect. But in 2002, the reauthorization of the same act, known as No Child Left Behind, was implemented.

It gave this principle that we would look at the students who are falling through the cracks. It meant to serve our poor and minority students, students with disabilities, and English learners.

After all, let's not forget that the original ESEA, the original one in 1965,

had an exact declaration of policy that said "in recognition of the special education needs of children of low-income families." This landmark legislation in 1965 is a civil rights law.

It reaffirmed *Brown v. Board of Education*. It reaffirmed the 1947 *Mendez v. Westminster* decision, which happened in my own district, which was the precursor to *Brown v. Board*. It said every child has the right to an equal opportunity for a quality education.

Let's be honest. We are in the wake of a civil rights movement in this country. When we see tragedies in Ferguson, to Charleston, to presidential candidates issuing condemnations to immigrant families who come and who contribute to this country, to milestone victories where we see all individuals throughout the States may choose to marry the ones that they love, we can no longer ignore the social and the economic issues our great Nation is currently facing.

It all starts in our classrooms, in the quality of the education and the fundamental values that we impart to our children.

That is why I am also extremely disappointed in the House version of the ESEA where it limits the opportunity for our neediest students.

The Student Success Act—this is the one that the Republicans are putting forward—would take away \$3 billion over the next 6 years from the 32 largest school districts and most diverse school districts in our Nation, by the way, many of those students being Black and Latino. While the Senate's Every Child Achieves Act accomplishes tremendous feats in expanding access, the House bill actually does not.

So what do we do? We must make sure that the bills that we pass have actions intended in them. The Senate bill, for example, makes actions optional when schools are not meeting goals while eliminating requirements for States to identify schools that are in need of intervention where it is detrimental to the progress of the children.

So laws must require timely State action to address the inequities where they persist so that we can provide the Federal resources and the support to the lowest performing schools.

Everyone hates talking about accountability. But, without it, we cannot help our low-performing students get back on track. Without clear expectations for reporting inaction, we are doing a disservice to students. These students will fall through the cracks.

I look around this room and I am proud to say that I am a public school kid and many of us in this Chamber are. We are products of our Nation's public school systems.

Look at us. Our communities have chosen us to be their voice. Our communities have chosen us to be their advocates and to fight for them in the classroom.

And I am sure that each of us has had an administrator, a teacher, a principal, who believed in us and put us on

the right track so that we might be where we are today.

As I continuously reflect on my own experience, the daughter of poor immigrants from Mexico, first generation and low income and a child that the original ESEA was meant to serve, I ask my colleagues, let's work together and pass a bill that really helps our children.

GENETICALLY MODIFIED ORGANISMS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as a subcommittee chair of the Committee on Agriculture, I am committed to safe and affordable food.

In recent years, there has been increased interest in where our food comes from and how it is grown. In my view, this movement is long overdue, as far too many Americans are removed from the family farm for several generations.

Agriculture is the backbone of rural America, and its success is critical for local economies and to deliver a product every American needs on a daily basis.

With a growing world demand for food and less Americans engaged in farming, science and innovation have become essential components of agriculture and remain paramount to meet increased demands.

Aside from tractors, combines, and physical technology, innovation also extends to biotechnology. Biotech ensures that America will always have the safest, most abundant, and affordable food supply.

As world populations continue to increase, producing more food on less land will be an ongoing challenge, but one that can be addressed through advances in biotechnology.

With this in mind, there has been an ongoing debate and much attention to what have been dubbed GMOs, or genetically modified organisms, seeds or crops.

Despite the alarmist claims of some, GM products, GM seeds, have provided great benefits to farmers, ranchers, food producers, and consumers.

For instance, some varieties of GM seeds have been engineered to host genetic traits that resist certain types of insects, molds or diseases that destroy crops or, in other cases, GM seeds allow for longer growing seasons or greater crop yields.

GM crops have had an enormously positive impact on farmers, ranchers, and food producers. GM seeds have also had a positive environmental impact because they have reduced the need for large-scale sprays or open-range distribution of pesticides or insecticides.

While some continue to question the safety of consuming GM seeds, the overwhelming consensus among the various credible scientific organiza-

tions, such as the National Academy of Sciences, the World Health Organization, and the American Medical Association, remains.

Quite simply, there is no sound scientific evidence that such crops or foods are harmful to human health or the environment.

In fact, a January 2015 study from the Pew Research Center found that 88 percent of surveyed scientists believe that GM seeds or crops are perfectly safe for human consumption.

However, one of the real challenges that has developed regarding GM foods is the lack of a fair and consistent regulatory structure.

Recently several States have made attempts to mandate all GM foods are labeled as genetically modified organisms. As a result, a patchwork of different State laws have begun to emerge over the labeling requirements of GM foods.

Now, this is already causing confusion as to how such labeling standards would directly apply to farmers, ranchers, food processors and, yes, also regulators.

This patchwork of State laws could also create some constitutional questions, should such laws affect interstate commerce and trade.

Nearly 80 percent of the food produced in the United States contains some kind of GM product, and the implications of a State-by-State labeling requirement would be vast.

□ 1030

This week, Mr. Speaker, the House will consider H.R. 1599, the Safe and Accurate Food Labeling Act of 2015, in an effort to address this confusion. Because there are so many myths surrounding this debate, let's start with what the bill does.

This legislation is squarely centered on State labeling efforts. While the bill does preclude States from enacting their own GM labeling laws, it also creates a Federal framework for pre-market review and labeling of GM foods; or, in other words, the legislation requires the FDA to conduct a review of any and all new plant or seed varieties before such products are commercially available.

The bill would also require standards for defining whether a product is of the "GM" or "natural." The legislation does not prohibit States from outright banning GM crops or writing new relevant laws, but what the bill will do is give farmers, ranchers, and food producers much-needed certainty by establishing a unified and clear regulatory process.

Mr. Speaker, as a cosponsor of H.R. 1599, I rise in support of the legislation, and I urge my colleagues to vote "yes" on it.

CALLING FOR THE JUSTICE DEPARTMENT TO INVESTIGATE THE DEATH OF SANDRA BLAND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I stand in the well of the United States House of Representatives today to call to the attention of the Nation the death of Ms. Sandra Bland, something that has been widely published. Videos have been shown. People can draw their own conclusions. But I stand here today because I want to announce that I join the many requesting that the Justice Department impose a thorough investigation—a thorough investigation.

Mr. Speaker, there are some who contend that the Justice Department should not look into this death. I differ. The district attorney, himself, in Waller County—this is where she died—the district attorney, himself, is looking into this and has said the death will be treated as a murder investigation.

A person who is stopped for a minor traffic violation should not end up dead. I think we should all agree that the basic premise is that, if you are stopped for a minor traffic violation, even if you are taken into custody, you should not be found dead in your jail cell.

It is said that she died from self-inflicted asphyxiation, a very polite way to say that she committed suicide. Under these questionable circumstances, the district attorney investigated. It is said that the FBI is looking into it. It is said that local constabulary will look into it in the State of Texas.

Why not have the Justice Department look into it? This is what the Justice Department is for, to look into these questionable circumstances of which too many have occurred as of late and, quite frankly, over a substantial period of time in our country. So this is a questionable case, and I believe this is a case ripe for the Justice Department to investigate.

I want to let the family know—and by the way, I don't know them. I didn't know Ms. Bland. I have no association with them. This is not about her ethnicity, and it is not about her gender. But I want the family to know that I am in sympathy with them, and I feel a certain amount of pain. I cannot feel their pain, but I feel a certain amount of pain because I believe that, if I had a daughter and if my daughter were arrested for a minor traffic violation or as a result of an initial stop for a minor traffic violation and my daughter was found dead in a jail cell some time thereafter with an allegation of suicide, I would want that case investigated, and I believe most people of goodwill would want to see an investigation.

So, Mr. Speaker, I am addressing those who contend that there should be no Justice Department investigation. I have great sympathy for this family—I want you to know that—and I believe there ought to be such an investigation. If this case isn't ripe for a Justice Department investigation, I am not sure that we can conjure up in our

minds a case that is more ripe under these circumstances.

Finally this, Mr. Speaker, I think we have to ponder the question: Have we accorded the constabulary the right to do wrong such that wrongdoing can be justified because it has been codified in the law that you have the right to do certain things?

I think we have to ponder this question because what happened in this case is highly questionable and highly suspect. I say this as a student of jurisprudence, a member of the bar, and a former judge of a court that held probable cause hearings. I have seen my share. But I know that in this case, the Justice Department should investigate.

Mr. Speaker, I will continue to pray for this family and pray for justice to be done.

THE NUCLEAR DEAL WITH IRAN AND OUR NATIONAL SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I come to the floor this morning to talk for a few minutes about the primary issue that my constituents are talking about right now, and that is the issue of national security, homeland security, and how what is happening in the world is affecting our communities right where we live and work and where our children go to school. Isn't that what everyone wants to know: that we are going to be safe, that our children are going to be safe, and that future generations are going to be safe here in the United States?

Mr. Speaker, as we look at these issues of illegal immigration, as we look at ISIS and the threats that are carried out, such as what happened in Chattanooga, and as we look at the Iran deal, we know this affects where we live and where we work.

Today, Mr. Speaker, I want to spend just a few minutes talking about the Iran nuclear deal.

One of the members, retired, of a military organization, MOAA, came up to me Saturday as I was talking to them. He said: MARSHA, this is a bad, bad deal. It is a bad, bad deal.

I have got to agree with him. It is. Of course, he speaks from the perspective of having worn the uniform and served, having had a full military career. It is interesting. They know a bad deal when they see one, and in this Iran nuclear deal that is proposed, they see the tenets of a very bad deal.

Let's look at a few of these components that will not serve us and future generations, our national security, or our homeland security well.

As you review this deal, you see that Iran retains the ability to enrich uranium. That does not stop. It is going to continue on. We can already see how a nuclear Iran would create an arms race in an area which is already volatile. Any capability to enrich uranium may

cause a nuclear arms race to happen and further destabilize the Middle East.

You see, Mr. Speaker, we are not prohibiting them from doing anything. All we are doing is basically setting a date certain 10, 15, or 20 years down the road. Now, think about your children and grandchildren 10, 15 or 20 years down the road. If Iran has a nuclear weapon, what are they going to say at that point in time? How is it going to affect them?

Think about the region. A Saudi official has said: "Politically, it would be completely unacceptable to have Iran with a nuclear capability and not the kingdom." I am quoting a Saudi official's remarks.

Any deal must have full transparency, and we need to know that there can be and will be because there must be anytime, anywhere inspections. It is my fear that a deal with Iran is not going to accomplish this.

The Wall Street Journal reported yesterday—and, Mr. Speaker, I will submit this for the RECORD—"Iran Inspections in 24 Days? Not Even Close." It was a Wall Street Journal article, and I commend it to my colleagues to read as they review this and think about how they are going to vote on this deal.

The Wall Street Journal stated: "The Obama administration assures Americans that the Iran deal grants access within 24 days to undeclared but suspected Iranian nuclear sites."

When you look at the Joint Comprehensive Plan of Action, it reveals that actually it is going to be closer to months. They can end up holding inspectors at bay for months.

Again, from the Journal I am reading and quoting: "So from the moment the IAEA first tips its hand about what it wants to inspect, likely three or more months may pass."

Now, Mr. Speaker, I ask you, does this sound like the type of deal that you would want to make with a country whose people recently were out chanting "death to America" and burning our flag to celebrate the Muslim holy day with the Supreme Leader in attendance at that rally? Does this sound like the type of deal that should be approved by our Secretary of State and supported by our President? Why? Why would they want to do this? Why would there be a deal that sets a date certain and kind of lays out that path? Simply put, there is no way—no way—that we can trust Iran to allow inspectors unfettered access to both civilian and military sites to verify that they are not pushing a nuclear weapon. So we would be left wondering if—if—they are going to hold up their end of this so-called nuclear deal.

Mr. Speaker, a senior commander in the Revolutionary Guard has recently said that inspectors will not be allowed on military sites. General Hossein Salami said: "We will respond with hot lead . . . We will not roll out the red carpet for the enemy."

In addition, Mr. Speaker, it is extremely concerning that Iran is asking for sanctions on weapons sales and ballistic missile technology transfers to be lifted. It is a bad, bad deal, as my constituent said. I commend further study to my colleagues.

[From the Wall Street Journal, July 21, 2015]

IRAN INSPECTIONS IN 24 DAYS? NOT EVEN CLOSE

(By Hillel Fradkin and Lewis Libby)

The Obama administration assures Americans that the Iran deal grants access within 24 days to undeclared but suspected Iranian nuclear sites. But that's hardly how a recalcitrant Iran is likely to interpret the deal. A close examination of the Joint Comprehensive Plan of Action released by the Obama administration reveals that its terms permit Iran to hold inspectors at bay for months, likely three or more.

Paragraphs 74 to 78 govern the International Atomic Energy Agency's access to suspect sites. First, the IAEA tells Iran "the basis" of its concerns about a particular location, requesting clarification. At this point Iran will know where the IAEA is headed. Iran then provides the IAEA with "explanations" to resolve IAEA concerns. This stage has no time limit.

Opportunities for delay abound. Iran will presumably want to know what prompted the IAEA's concern. The suspect site identified by the IAEA is likely to be remote, and Iran will no doubt say that it must gather skilled people and equipment to responsibly allay IAEA concerns. Iran may offer explanations in stages, seeking IAEA clarifications before "completing" its response. That could take a while.

Only if Iran's "explanations do not resolve the IAEA's concerns" may the IAEA then "request access" to the suspect site. Oddly, the agreement doesn't specify who judges whether the explanations resolve concerns. If Iran claims that it has a say in the matter, the process may stall here. Assuming Iran grants that the IAEA can be the judge, might Iran claim that the "great Satan" improperly influenced IAEA conclusions? Let's assume that Tehran won't do that.

Now the IAEA must provide written reasons for the request and "make available relevant information." Let's assume that even though the IAEA may resist revealing the secret sources or technical means that prompted its suspicions, Iran acknowledges that a proper request has been supplied.

Only then do the supposed 24 days begin to run. First, Iran may propose, and the IAEA must consider, alternative means of resolving concerns. This may take 14 days. Absent satisfactory "arrangements," a new period begins.

During this period Iran, "in consultation with" the Joint Commission, will "resolve" the IAEA concerns "through necessary means agreed between Iran and the IAEA." The Joint Commission includes China, France, Germany, Russia, the U.K., the U.S., the European Union and, of course, Iran. Not exactly a wieldy bunch.

The Iranians will likely claim that "consultation" with the Joint Commission doesn't bind Tehran, just as the U.S. president isn't bound by consultations with Congress. The agreement says the consultation process will not exceed seven days, but Iran can point out that the nuclear deal doesn't specify when Iran and the IAEA must reach agreement and "resolve" IAEA concerns.

In the absence of Iran-IAEA agreement, a majority of the Joint Commission has seven days to "advise" on the "necessary means" to resolve the matter. Iran may fairly argue that the commission's right to "advise" is

not the same as a right to “determine” the “necessary means.” Lastly, the agreement provides that “Iran would implement the necessary means within 3 additional days.” But what “necessary means” are these? As noted, the agreement refers to “necessary means agreed between Iran and the IAEA.” So these additional three days don’t even begin until an agreement is reached.

Now what? Well, the U.S. may take a “Dispute” to the Joint Commission, on which Iran sits, which has 15 days to resolve the issue. Parties may or may not invoke a similar 15 days for foreign ministers to act. Parties may also request a nonbinding opinion within 15 days from an advisory board consisting of three members, one appointed by Iran, one by the complaining country and “a third independent member.”

But Iran may argue that nothing in the nuclear deal specifies how quickly a country must appoint its advisory-board member or even how the “independent member” is selected. In short, this stage may take at least 30 days and possibly 45 of consideration at the different levels, but Iran may argue that the last 15 days don’t start until an advisory board has been duly formed. Then we get another five days of Joint Commission deliberation, before a disappointed U.S. or other commission member seeking IAEA inspections can hobble off to the United Nations seeking resolutions reimposing sanctions.

In short, as Iran is free to interpret the agreement, 63 or even 78 days may pass, plus three potentially lengthy periods that Iran can stretch out: One of “explanations” before the clock starts, one to agree on necessary means and “resolve concerns,” and one for advisory-board selection near the end.

So from the moment the IAEA first tips its hand about what it wants to inspect, likely three or more months may pass. All along, the Joint Commission is required to act in “good faith,” and to make only “minimum necessary” requests limited to verification, not “interference.” Tehran could also cite these terms to challenge particular requests.

The description of this process is based on the English-language text of the nuclear agreement. The text lacks a provision that it is the entire agreement, so Iran may claim support in supposed side agreements or statements during negotiations.

Announcing this “comprehensive, long-term” deal, President Obama quoted President Kennedy’s 1961 call for negotiations with the Soviets. Kennedy reached two notable nuclear agreements. Mr. Obama didn’t mention that within a decade of Kennedy’s 1963 Limited Test Ban Treaty, Soviet nuclear forces—once a fraction of America’s—were at parity or had surpassed ours.

During the 1962 Cuban Missile Crisis, Kennedy reached secret agreements—undisclosed to Americans for decades—not to invade Cuba and to withdraw U.S. weapons from Turkey. By invoking Kennedy was President Obama signaling there is more to this “long-term” deal than we know?

He is a subtle man.

COMMEMORATING THE 50TH ANNIVERSARY OF THE VOTING RIGHTS ACT OF 1965

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Mrs. BEATTY) for 5 minutes.

Mrs. BEATTY. Mr. Speaker, I rise today to join many of my Democratic colleagues to commemorate the 50th anniversary of the Voting Rights Act of 1965 and to ask this House to pass legislation for voting rights now.

Mr. Speaker, this was the first nation in our history to be founded with a purpose. Great phrases of that purpose are still being said and quoted around the world from the souls and hearts of Americans: “All men are created equal,” and, “Give me liberty or give me death.” Those words were not to be revered as meaningless, to ring hollow over the years. Today I join my colleagues as guardians of that liberty and advocates for voting rights legislation.

Mr. Speaker, 50 years ago before Congress, President LBJ said: “I want to be the President who helped the poor to find their way and who protected the right of every citizen to vote in every election.”

“Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty we have to ensure that right.”

Mr. Speaker, from the steps of the Lincoln Memorial, Martin Luther King delivered his “Give Us the Ballot” speech, urging the President and Members of Congress to ensure voting rights for African Americans. He indicted both political parties for betraying the cause of justice. He said—let us be reminded of these words—“The Democrats have betrayed it by capitulating to the prejudices and undemocratic practices of the Southern Dixiecrats. The Republicans have betrayed it by capitulating to the blatant hypocrisy of the right wing, reactionary Northerners. These men so often have a high blood pressure of words and an anemia of deeds.”

Mr. Speaker, today I ask Democrats and Republicans to come together for voting rights legislation now.

Over the past 50 years, our country has come a long way: the end of Jim Crow, integration of our public schools, and the election of our first Black President. While we have made great progress over the past 50 years, we must continue to fight for justice and equality at the polls.

In the past few Presidential elections, we have seen long lines, intimidation, and voter suppression. We must remain diligent in our efforts to root out voting discrimination because of the Supreme Court’s misguided decision in 2013 in the Shelby County v. Holder matter and the failure of Congress to remedy this dismantling of our Nation’s fundamental rights. We must be more vigilant than ever.

Two years ago, in Shelby, the Supreme Court struck down a critical part of the Voting Rights Act. Some would say it cut the heart of the Voting Rights Act by finding section 4 unconstitutional.

□ 1045

This was a setback to our country and to our democracy by removing much-needed voting protections in disenfranchised communities. Our democracy was founded on the audacious idea

that every eligible citizen should have access to the ballot box.

This is why I am proud to stand with over 70 bipartisan congressional colleagues as an original cosponsor of the Voting Rights Advancement Act of 2015, H.R. 2867, which would restore and advance the critical voter protections taken away by the Shelby decision.

Mr. Speaker, it is time for us to bring voting rights legislation to the floor. Now, more than ever, with just 7 legislative days left, we head back to our districts for our August work period. Congress should honor the progress of being able to allow us to say to our constituents, to this Nation, that our country has made sure that there is equal rights and equal treatment.

Let us work together on advancing important legislative priorities, such as the Voting Rights Amendment Act.

APOLLO 11 MISSION, 46 YEARS LATER

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

Mr. HULTGREN. Mr. Speaker, I rise today to remember and celebrate a monumental achievement our Nation’s space program reached 46 years ago this week. On July 20, 1969, Neil Armstrong, Buzz Aldrin, Michael Collins, and the entire NASA team transformed the world’s belief in what was possible.

Following President Kennedy’s charge to land a man on the Moon and return him safely to the Earth before the decade was over, NASA put their talent and treasure into making that dream a reality. No longer was human discovery and exploration limited to our own planet. The Moon, which had always been beyond our human ability to reach, was now within our grasp.

This “giant leap for mankind” propelled American space exploration and inspired generations to pursue science and research as a way of life. Today, human space exploration and discovery sciences are engrained in American society and are prime demonstrations of our Nation’s exceptional nature. As Americans, it is in our DNA to push the boundaries and frontiers of knowledge.

Developing new technologies and expertise is vital as we consider a mission to Mars, take closeup photos of Pluto, and send robots throughout our solar system. The new generation must now work to fulfill the dreams and ambitions of that first group of space explorers.

Let us encourage our children to think seriously about careers in science, technology, engineering, and mathematics—careers that could lead them to become actual rocket scientists or astronauts. Bold, long-term commitments to the projects that made NASA and our space program great will help inspire our kids.

The Apollo 11 mission changed America and the world, and we remain forever grateful to those who were a part

of that mission. Forty-six years ago, if the unthinkable occurred and the astronauts never made it back to Earth, President Nixon had a speech prepared to deliver to the Nation.

If the worst happened, the President would have said:

In ancient days, men looked at stars and saw their heroes in the constellations. In modern times, we do much the same, but our heroes are epic men of flesh and blood.

I was honored to meet the members of the Apollo 11 crew, including Neil Armstrong before he died. Indeed, these men were epic heroes of mine. Many of us grew up in an era where we were proud to be the Nation that sent men to the Moon, and we still are. Nothing can change that fateful decade of discovery coupled with frustration, trial coupled with error, all resulting in that historic world-changing mission.

I want our kids and grandkids to look back and be proud citizens of the Nation that made our Moon hospitable, sent astronauts to Mars, and keeps sending spacecraft past the outer reaches of our solar system. Renewed vigor in our country's space program will ensure we continue to make mankind-sized leaps for years to come.

CLOSURE OF COLOWYO COAL MINE

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

Mr. TIPTON. Mr. Speaker, mines in Colorado's Third Congressional District provide not only critical jobs, they also provide the reliable, affordable electricity on which countless Americans rely.

The future of one such mine, operated by Colowyo in Moffat County, is now in jeopardy after a Federal judge sided with a radical environmental group notorious for filing lawsuits, at the expense of taxpayers who often end up footing their litigation bill.

I am urging the Department of the Interior to take swift action to prevent the impending closure of the Colowyo mine, and I want to thank Senator CORY GARDNER for his partnership in this effort.

On May 8, 2015, the Federal district court for the district of Colorado issued an order determining that the Office of Surface Mining failed to comply with the National Environmental Policy Act in 2007, when it issued a mine plan for approval of the Colowyo coal mine.

The court gave OSM 120 days to be able to prepare a new analysis and issue a new decision. If OSM does not complete the process in 120 days, the court stated that it would vacate the mine plan, effectively shutting down the mine on September 6.

Unfortunately, despite repeated insistence from myself, Senator GARDNER, county officials, and the surrounding local communities, this administration decided against appealing the court's ruling.

We have to ask the question: Does not the executive branch have a duty

to defend its permitting actions? Of course, it does. The Federal Government must vigorously defend the legality of its permitting actions and leave policy debates over the role of coal in the legislative and rulemaking proceedings where those debates belong.

Here is where we stand as the September 6 deadline approaches. The livelihoods of thousands of northwest Coloradans are in peril, as they rely on an administration with a track record of attacks on the mining industry and affordable electricity to do the right thing. Unfortunately, this administration hasn't done much to allay our concerns.

A mine closure would jeopardize 220 direct jobs and millions in economic activity. While 220 jobs may not sound like much, to the town of Craig, population 9,400, that has a significant economic impact on this community.

To properly be able to understand the scale of this potential catastrophe, this is equivalent to the President's hometown of Chicago shedding 63,000 well-paying jobs.

The adverse effects of shutting down this mine go beyond the jobs at the mine that would be lost. Coal produced by this mine, located in Moffat and Rio Blanco Counties, is used to generate power at Craig Station. The mine is a critical supplier of western Colorado's energy. It provides reliable, affordable electricity in much of the western half of the State.

Last week, I attended a meeting to discuss the future of the Colowyo mine in Glenwood Springs with Secretary of the Interior Sally Jewell; Bureau of Land Management Director Neil Kornze; and a number of western Colorado community leaders, including Moffat County Commissioner John Kinkaid and Craig Mayor Ray Beck.

While it would have been preferable for the Secretary to make time to be able to meet with the miners in Moffat County who are facing the loss of their livelihood, look them in the eye, and hear their stories, she did meet with this group; and I hope that she received a better understanding of the important impact of the Colowyo mine on the impact of the economy in northwest Colorado.

I was pleased to be able to hear Secretary Jewell assure us before the meeting that the Department of the Interior is on schedule to be able to complete a new environmental assessment by the court's deadline of September 6; and, if for some reason they fail to meet that schedule, they will request an extension.

I hope the Secretary realizes that the decisions made in Washington have lasting impacts on everyday working Americans. Unfortunately, we have seen repeated attempts by this administration to impose drastic and, in some cases, outright unattainable mandates on the existing electricity sources.

Communities such as Craig have expressed concerns that these proposed

regulations will work to the detriment of the local economies by shutting down local power plants, negatively affecting Colorado's mining industry, and needlessly burdening Coloradan families and businesses with higher energy costs; yet here we are on the cusp of leaving over 220 honest, hard-working people without a paycheck.

This battle offers a vivid and all too familiar lesson in how environmental special interests, if not balanced against the practical need for a healthy and growing economy, can wreak havoc in the everyday lives of Coloradans. The careful balance between environmental protection and economic prosperity is regrettably missing from this administration's policies.

The most troubling part of all of this is that the effects of these misguided regulations won't actually result in cleaner air overall, but will jeopardize the reliability of the electrical grid and have a severe economic impact.

The people of Moffat County are the people who are feeling these impacts. The people of Moffat County need to know that they are not alone in this effort. I am committed to doing everything within my power to be able to fight for affordable, reliable, and responsible energy production.

COAL ASH WASTE DISPOSAL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for 5 minutes.

Mrs. WATSON COLEMAN. Mr. Speaker, this week, the House will consider dangerous legislation on coal ash that will put communities and families in New Jersey in danger. We need strong Federal regulation on coal ash waste. Poor management practices in States like Pennsylvania and New York that border New Jersey affect my constituents' lives.

The Delaware River provides drinking water to one-third of New Jersey's municipalities. In 2005, Martins Creek Power Plant in Pennsylvania spilled 100 million gallons of coal ash across 10 acres into the Delaware, contaminating that drinking water with arsenic. Towns surrounding the Delaware, towns that depend on the river for the fishing and recreational activity that drives their economies were devastated.

In New York, the EPA found that coal ash from a power station had contaminated groundwater with iron, selenium, manganese, aluminum, and at least 10 other dangerous chemicals.

H.R. 1734 not only fails to protect communities from toxic pollution, it undermines legitimate efforts to protect our communities.

I urge my colleagues to vote against it. All of our constituents deserve better.

AUDIT THE FED

The SPEAKER pro tempore. The Chair recognizes the gentleman from

West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, few institutions are as powerful and as secretive as the Federal Reserve.

The Federal Reserve's monetary policy impacts the prices every American pays at the grocery store; the ability of businesses to obtain the capital necessary to create new jobs; and the value of investments the average American relies on to provide for their families, educate their children, and enjoy a secure retirement.

Despite the Fed's enormous power, Congress continues to allow the Fed to conduct monetary policy in secret. While the Government Accountability Office is allowed to perform limited audits of the Fed, it is forbidden by law from auditing. In other words, the Congress has forbidden the Government Accountability Office from examining how the Fed conducts monetary policy, its most important function.

Allowing the Fed to conduct monetary policy in secret is a failure of Congress' duty to carry out meaningful oversight of the Federal Reserve. Congress and the people we represent deserve to know the full truth about the Federal Reserve.

□ 1100

This is why one of my first acts upon coming to this House was to cosponsor the Federal Reserve Transparency Act, H.R. 24, introduced by my friend THOMAS MASSIE of Kentucky.

This simple two-page bill authorizes a full audit of the Fed's monetary functions and is popularly known as "Audit the Fed."

The passage of this bill will allow the American people to finally get a better picture of the Fed's operations, including its dealings with large financial institutions and foreign central banks.

Contrary to the claims of the Fed and its supporters, nothing in this bill gives Congress any new authority over the Federal Reserve.

It simply allows Congress to get a retrospective look at how the Fed carries out monetary policy so that Congress and the people can fully understand, evaluate, and oversee the Fed's actions.

Audit the Fed has twice passed the House by overwhelming majorities and is supported by almost 80 percent of the American people. Yet, former Senate Majority Leader HARRY REID blocked the bill from coming to the floor for a vote in the U.S. Senate.

Senator REID's replacement as majority leader, Senator MITCH MCCONNELL, is a cosponsor of S. 264, the Senate version of Audit the Fed, which has been introduced by Kentucky Senator RAND PAUL.

It is finally time for a vote in the U.S. Senate as well. The passage of Audit the Fed is more important than ever, given the Federal Reserve's actions since the 2008 financial crisis.

Following the financial meltdown, the Fed commenced an unprecedented

program of trillion-dollar bailouts for Wall Street. The Fed's poor track record over the past decade is not an irregularity.

Since the Fed's creation, the dollar has lost 97 percent of its purchasing power. Allowing the Federal Reserve to continue operating in secrecy may benefit certain well-placed individuals, but it has not benefited my constituents in West Virginia.

It is time to bring transparency to monetary policy. It is time to tear down the Fed's wall of secrecy. It is time to audit the Fed.

RECESS

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

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

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Thank You, O Lord, our God, for giving us another day.

You are the provident guide of our Nation's history, and we ask You to guide, protect, and strengthen the United States House of Representatives during this first session of the 114th Congress.

Help these duly elected Representatives of the people be about the work of the people. Make this democratic Republic strong, that it may be Your fit instrument to unite the natural and human resources of this Nation, that Your people may live ordered lives under the law and in harmony with others—and so be a beacon of hope for the world.

In You and from You we draw our inspiration and creativity. In You and from You, O Lord, we find lasting peace and universal justice. May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

Mr. McCLINTOCK. 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. McCLINTOCK. 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 California (Ms. JUDY CHU) come forward and lead the House in the Pledge of Allegiance.

Ms. JUDY CHU of California 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 15 requests for 1-minute speeches on each side of the aisle.

GUN GRAB THROUGH SOCIAL SECURITY

(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, President Obama is at it again. He is now seeking to deny millions of law-abiding Americans their Second Amendment right to bear arms by going through Social Security.

And why is that? Because he couldn't get gun control through the Congress. The American people wouldn't stand for it.

Mr. Speaker, old age or a disability does not make someone a threat to society. These folks should be able to defend themselves, just like everyone else.

As chairman of the Social Security Subcommittee and a staunch defender of the Second Amendment, I will do everything in my power to stop this gun grab. Yesterday I ordered the Commissioner of Social Security to stand down and abandon any such plan.

Mark my words: Americans' Second Amendment rights must and will be protected.

AUTHORIZATION INCREASE FOR SMALL BUSINESS 7(A) LOAN PROGRAM

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JUDY CHU of California. Mr. Speaker, I am here to ring the alarm bell on the pending expiration of a very important program next week.

It is the Small Business Administration's flagship 7(a) loan program, which

provides long-term loans to small businesses that are unable to secure financing through conventional channels.

About 80 percent of small-business owners who apply for a non-SBA loan get rejected. It is SBA's 7(a) program that gets them the money they need to succeed. In my district alone, more than \$2 billion in capital has been provided to small businesses since 1990.

Not only does 7(a) lending directly support American jobs, it also operates at zero cost to taxpayers. We cannot let this successful program lapse. At the current rate of lending, this program could be forced to shut down as soon as next week.

I urge the Speaker to act on this critical issue before the August recess and make sure that our small businesses thrive.

STURGIS 75TH ANNIVERSARY

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

Mr. WALBERG. Mr. Speaker, I rise to recognize the upcoming Sturgis Motorcycle Rally, which will be celebrating its 75th anniversary this year.

Each August, freedom-loving bikers, racers, and motorcycle enthusiasts gather in Sturgis, South Dakota, to celebrate this annual event.

From the first Black Hills Motor Classic rally in 1938, Sturgis has expanded from a single race to a weeklong event attended by hundreds of thousands of people from across the U.S. and the globe. This year, organizers are anticipating well over 1 million people will descend upon the small town of 6,600.

As co-chair of the Congressional Motorcycle Caucus, I want to offer my best wishes to the attendees of this year's event. We hope for good weather, safety, and another successful week celebrating motorcycles and the freedom to ride.

HONORING THE LIFE AND LEGACY OF VAN MILLER

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

Mr. HIGGINS. Mr. Speaker, I rise to honor the life and legacy of Van Miller, the radio voice of the Buffalo Bills, who passed away last Friday at the age of 87.

For decades, thousands of Bills fans welcomed Van into their homes. Every Sunday they muted their televisions so that they could watch the game with Van giving the play-by-play on the radio. He epitomized what it means to be a Buffalo Bills fan because he was one of us, a native western New Yorker.

Van joined the Bills for the team's inaugural season in 1960, and his voice became synonymous with some of the most exciting moments in Buffalo sports history. His play-by-play of four consecutive Super Bowl appearances,

his exhilarating call of "The Comeback" game, and his word "fandemonium" will forever echo in the ears of loyal Bills fans everywhere.

Van earned a place on the wall of fame at Ralph Wilson Stadium and was the first local broadcaster to be honored with the Pete Rozelle Radio-Television Award from the Pro Football Hall of Fame in 2004.

I ask my colleagues to join me in remembering Van Miller's place in sports history and to recognize the cultural contributions, memories, and joy he brought to so many western New Yorkers.

PULSE OF TEXAS: THOMAS DAVIS—HOUSTON, TEXAS

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

Mr. POE of Texas. Mr. Speaker, the President has announced he has reached a nuclear deal with Iran. Some of my Texas constituents have contacted me because they are worried about this dangerous and irresponsible "deal."

Thomas Davis of Houston wrote, "We must not finance terrorism or in any way support Iran's gaining nuclear weapons."

Thomas is rightfully concerned. Since Iran will soon receive billions of dollars, they can continue to sponsor their terrorist groups worldwide. Also, the deal legitimizes Iran's nuclear weapon program development in 10 years.

Thomas continues, "I also urge you to disregard the U.N.'s premature acceptance, as they do not accept something for us or authorize spending of our funds. If their action does give Iran funds from an account we supplement, then defund that account."

Wise words from citizen Thomas Davis. Giving the U.N. the first say on the nuclear deal and not Congress was misguided. The U.N. vote of approval will not intimidate me into voting for this deal.

This deal will make the world less safe, less free, and make Iran a world nuclear weapon power. Isn't that lovely.

And that is just the way it is.

OLDER AMERICANS ACT

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

Ms. SCHAKOWSKY. Mr. Speaker, on July 14, the Older Americans Act turned 50 years old. My constituent Patricia, from Chicago, is one of millions who rely on the Older Americans Act. And here is what she wrote to me:

"I suffer from three chronic illnesses. Meals on Wheels allows me to have nutritious meals despite a difficult medicine regime . . . while not as active as I used to be it allows me dignity in these difficult days . . . it allows me to volunteer both through my church

and the park district and give back to the community the gifts and knowledge accumulated through my lifetime . . . I teach crochet in the park district and to youngsters as well as tutor science and math in my church . . . enriching the lives of many . . . it's what I can do and these programs help me do it. . . ."

Let's celebrate the Older Americans Act by passing a strong reauthorization bill for millions of people like Patricia.

IRAN

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

Ms. ROS-LEHTINEN. Mr. Speaker, we repeatedly hear supporters of this weak and dangerous Iran nuclear deal throw out this false dichotomy: It is either this deal or war.

The reality of the situation is this: If Congress does not reject this naive Iran nuclear deal, then we won't be faced with the deal or war. We will be faced with this deal and war.

Why do I say this? Other countries in the region are going to want what we have conceded to Iran, especially because we inexplicably agreed to a lifting of the arms embargo and a lifting of the sanctions against the regime's ballistic missile program.

So what have we guaranteed with this unverifiable deal? There is a conventional and nuclear arms race already set in motion in the region, and Iran will be nuclear in just about a decade's time.

The only rational decision, Mr. Speaker, is to vote against this deal if we truly want to avoid war.

IMMIGRATION REFORM

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

Mr. GALLEGO. Mr. Speaker, what happened in San Francisco was a horrible tragedy, and my thoughts and prayers go out to Kathryn Steinle's family.

As the authorities in San Francisco seek justice for Kate, we should not, however, allow demagogues like Donald Trump to demonize entire communities because of the actions of a single person. It is disappointing and alarming that the House Republican leadership is following Donald Trump's lead on immigration.

The bill before the House this week would withhold funds that are meant to enhance public safety, support community policing, and assist crime victims, effectively putting our communities at higher risk.

Mr. Speaker, this is nothing but an effort to cover for the House Republican leadership's failure to bring a comprehensive immigration reform bill to the floor that would actually fix our broken immigration system.

But like Donald Trump, the House Republican leadership seemingly can't help themselves when it comes to painting millions of law-abiding and hard-working immigrants as nothing but criminals.

Mr. Speaker, the safety of our communities should not be a political pawn. What the House Republican leadership is doing is irresponsible. Local law enforcement knows how to keep communities safe. Let them do their job.

FAKE OBAMACARE PAYMENTS

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

Mr. PAULSEN. Mr. Speaker, we continue to see issues with the President's healthcare law, including the most recent GAO investigation that has revealed that there are major fraud problems with the enrollment Web site.

The nonpartisan watchdog discovered that www.healthcare.gov is unable to detect and prevent blatant fraud, as fake applicants were able to sign up for subsidies.

This red flag is yet another example of how the healthcare law is not achieving the goals that it has claimed. Premiums continue to rise. Medical innovation has been stifled. And patients have less choice when it comes to their own healthcare decisions.

Mr. Speaker, www.healthcare.gov was supposed to include a working verification system to ensure that nobody could cheat the system. However, it is clear from this investigation that there is very little fraud protection in place.

Mr. Speaker, whether it is through incompetence or apathy, it is unacceptable that hard-earned taxpayer dollars are being wasted because administrators aren't implementing fraud protection measures. The status quo must change.

□ 1215

OPPOSE ENFORCE THE LAW FOR SANCTUARY CITIES ACT

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today in staunch opposition to H.R. 3009, the Enforce the Law for Sanctuary Cities Act, or perhaps better titled, the "Donald Trump Act." This bill is nothing more than an underhanded ploy to criminalize the immigrant community who, research shows, is less likely to commit serious crimes than native-born persons. To demonize an entire community based on the actions of a few does not inform wise policy.

Local police are best equipped to make decisions of how best to serve their communities. Let them make those decisions. Withholding Federal

funds from jurisdictions who have adopted local trust policies will not make our communities safer or fix our broken immigration system. It will only make it more difficult for local police to provide public safety to their communities.

Unfortunately, Mr. Speaker, this doesn't come as a surprise. This is the same Republican-led Congress that nearly shut down the Department of Homeland Security, compromising the safety of our communities.

I have consistently said that we need to focus on passing comprehensive immigration reform, yet time and time again, Republicans have shown the only aspect of immigration reform they are interested in is deportation.

REMEMBERING BROOKSVILLE'S VICE MAYOR, JOE JOHNSTON

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

Mr. NUGENT. Mr. Speaker, I rise today to remember the life of the city of Brooksville's vice mayor and a good friend of mine, Joe Johnston III. Joe was as straightforward and as good as they come. The loss of his life has impacted the entire Hernando County community, and for obvious reasons.

Joe was a family man. He dedicated his life to his wife, Diana, their three daughters, his two brothers, and seven grandchildren in the same place where his parents raised him. He attended our local schools, graduated from the University of Florida, and moved back to be a paralegal in the firm which his father established and helped to build.

More often than not, Joe's devotion was indicative of his love for the greater community. Twenty years ago, Joe ran successfully for a seat on the Brooksville City Council and proudly served in that seat until his untimely death just this month.

He was compassionate and caring about those around him, whether he knew you or not. Joe was known for being a steady hand on the council and was never backing down, even when the odds were against him. And people respected that. He became well known in our small town not solely because of his politics or his career; in fact, it was mostly what he did outside of it. He was an outdoorsman, a traveler, a sailor, an adventurer, and a great member of the community.

Mr. Speaker, he understood that true appreciation in life comes from the experiences you have and the memories you make, and he embraced it with his all.

It pains me that, after 10 years, Joe lost his battle with cancer. So I stand here today to remember a leader I valued and to celebrate his great life.

THE EXPORT-IMPORT BANK

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, only one of the top ten exporting countries in the world does not have an export-import agency that helps them finance new export deals, just one, and that country is the United States of America. That is because this Congress has failed to do what every Congress since FDR has done, and that is reauthorize the Export-Import Bank.

Today, Mr. Speaker, an American exporter is forced to compete against China, South Korea, Germany, France, Italy, and Japan with one hand tied behind its back. Their businesses get the support, their citizens get the jobs, and Americans are hung out to dry by their own government.

In my congressional district alone, 66 small businesses in the past 8 years have benefited from Export-Import financing of their exports. They have exported everything from peanut butter to industrial equipment.

Mr. Speaker, let's give Congress a chance to save American jobs. Let's have an up-or-down vote on the Export-Import Bank. If it came to a vote on this floor, it would surely pass.

CELEBRATING PIUTE COUNTY'S 150TH BIRTHDAY

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

Mr. STEWART. Mr. Speaker, today I rise to celebrate Piute County's 150th birthday. Piute County was formed in January 1865, after a year of hard work by entrepreneurial Mormon pioneers.

Press reported that in only 1 year the settlers had built more than 4 miles of canals and more than 10 miles of roads, all to access the good farmland and timber and other things they would need as they built this community. One reporter noted:

The spirit of industry and perseverance in the people is manifest. Their actions are kind and benevolent towards one another, and they will make this a great place for future generations.

Mr. Speaker, the past 150 years have proven these words to be true. Today, the county is home to many hard-working residents, people who work in a uniquely beautiful rural setting. The county enjoys the world-famous Paiute ATV Trail, boating, fishing, hunting, and horseback riding.

Mr. Speaker, I am proud to represent Piute County. They represent some of the best people our Nation has to offer, and I wish them much success as they celebrate their 150th anniversary.

THE VOTING RIGHTS ACT

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

Mr. VEASEY. Mr. Speaker, I rise today to mark the approaching 50th anniversary of the Voting Rights Act and talk about the importance of restoring the Voting Rights Act as well.

For decades, the Voting Rights Act has stood as the guardian for all Americans to exercise their right to vote. But 2 years ago, the Supreme Court reversed course on expanding voting rights when it ruled that section 4 of the Voting Rights Act was unconstitutional. Just hours after that ruling, my home State of Texas immediately began enforcing discriminatory laws against minority citizens from voting.

I sued the State to fight these unconstitutional efforts in *Veasey v. Perry*, which the United States district court agreed that Rick Perry, then the Governor of Texas, signed an intentionally discriminatory Texas voter photo ID law. It was under Perry's watch as Governor of Texas that the State legislature passed the most egregious voter ID law in the entire country.

Mr. Speaker, as we await the decision of the Fifth Circuit Court of Appeals on *Veasey v. Perry*, House Democrats will continue to fight against obstacles to voter participation and talk about the importance of restoring the Voting Rights Act. As you can tell by what is going on in Texas, it needs to be done now.

FIGHTING FOR THE UNBORN

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

Mr. GUINTA. Mr. Speaker, I stand before you today with a heavy heart.

Recently, videos have been released showing senior employees at Planned Parenthood discussing a horrific topic: the proper way to preserve the heart, liver, and lungs of a child during an abortion in order to harvest those organs for sale.

Consider the illogical nature of the conclusion that an infant is not a life, that an infant is not worthy of preservation, but the organs, which give it life, are worthy enough to be kept and sold.

Pro-life or not, this should strike at the conscience of every human being, and, in a larger sense, it should strike at the conscience of a nation that this practice is permitted and allowed.

Following the release of these videos, House leadership called for an investigation into Planned Parenthood, which I commend and fully support.

I am often asked back home if I consider myself pro-life and, if so, why. My answer to them is simple: I will never forget hearing my daughter's heartbeat for the first time. That heartbeat had a name, and its name was Colby.

AMERICANS BELIEVE MEDIA IS INTENTIONALLY BIASED

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

Mr. SMITH of Texas. Mr. Speaker, Americans are increasingly skeptical about the national news they receive.

A new study released this month conducted by the First Amendment Center and USA Today found that only 24 percent of Americans believe the media try to report the news without bias. This is a record low since the question was first asked a decade ago.

Mr. Speaker, 70 percent of respondents believe that news reports are intentionally biased. This represents a 15 percent increase just since last year. Millennials are even more suspicious about the news. Only 7 percent of Americans 18 to 21 years old said that the media report news objectively.

Media bias is both real and unfortunate. Americans will continue to reject the bias of the national liberal media until the media stops telling them what to think.

RECOGNIZING KATHY ARTS OF THE FOURTH CONGRESSIONAL DISTRICT OF CALIFORNIA

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

Mr. McCLINTOCK. Mr. Speaker, Walt Whitman explained the story of mankind when he said: "The powerful play goes on, and you will contribute a verse."

I rise today to recognize the many verses contributed by an extraordinary lady, Kathy Arts. Kathy has managed my district office for nearly 7 years and is retiring to contribute still more verses through her family, her friends, colleagues, community, and church.

Whether as a small-business owner for the past 28 years, a volunteer coordinator for local county fairs and community festivals or a charity fundraiser, Kathy is the paragon of a go-to person.

Kathy's most conspicuous virtue is her genuine concern for helping others, and that has been a godsend to my office and to the people of the Fourth Congressional District of California. In this, she is irreplaceable.

When I think of a meaningful life, I think of Kathy Arts and rise to thank her for her public service.

PLANNED PARENTHOOD

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

Mr. STUTZMAN. Mr. Speaker, I rise today in support of protecting the lives of the unborn and condemn the barbaric practices of Planned Parenthood as described by the foundation's medical directors in recently released video footage. The heartless and blatant disregard for the sanctity of life reveals the systemic problems with this organization, specifically, their culture of death.

Mr. Speaker, let's think about this: How can life-giving organs be considered more valuable than the very life of the baby from which they are taking those organs?

Hopefully, these sobering clips will embolden the Senate to move on finishing the fight to protect the unborn that are medically documented to feel pain at 20 weeks and pass H.R. 36, the Pain-Capable Unborn Child Protection Act.

In closing, Mr. Speaker, as the veil is pulled back and the practices of Planned Parenthood are further exposed, I remain steadfast in preventing taxpayer dollars from funding this organization. We must protect the innocent lives of the unborn in every way that we can.

HONORING HAL COXIN OF LAKE COUNTY, ILLINOIS

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

Mr. DOLD. Mr. Speaker, I rise today to recognize the contributions of Hal Coxin to our community in Lake County, Illinois. Hal is literally an institution in Lake County, and there are few local leaders or organizations that have not benefited from Hal's leadership, generosity, and friendship.

On July 28, Hal is retiring from Consumers Credit Union, where he and his team led efforts to open the door for credit to thousands of people who otherwise would never have thought it possible.

Hal recognized that Consumers could do more for its customers than provide financial services and that they could also play a role in helping improve people's lives in other ways. It was not uncommon to find Hal and his team holding workshops or helping in the library, working to volunteer with organizations and helping them raise much-needed resources for very, very worthy causes.

Mr. Speaker, I am honored to call Hal my friend. He will surely be missed, but there is no doubt that he will continue to help people in our community even in retirement.

Thank you, Hal.

PROVIDING FOR CONSIDERATION OF H.R. 1599, SAFE AND ACCURATE FOOD LABELING ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 1734, IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 369 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 369

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1599) to amend the Federal Food, Drug, and Cosmetic Act

with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-24 modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only 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, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1734) 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. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part C of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only 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 in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

□ 1230

The SPEAKER pro tempore (Mr. LOUDERMILK). The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BYRNE. House Resolution 369 provides a structured rule for consideration of H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015, and H.R. 1599, the Safe and Accurate Food Labeling Act of 2015.

Mr. Speaker, when I am back in southwest Alabama for district travel, I spend a lot of time visiting with small-business owners and holding townhall meetings. At almost every event I hold, someone mentions how regulations are having a negative impact on them, their business, and their employees. These regulations cover everything from energy to health care to tax policy. Too many of my constituents are drowning in red tape, and they are forced to spend too much money and time complying with burdensome regulations.

Now, I get it; a lot of people in Washington think that they know best. These bureaucrats get in a room, and they start scheming on how they can solve all these problems, and our answer is almost always that we need more rules and regulations.

Mr. Speaker, this is entirely the wrong approach. This kind of top-down, Washington knows best strategy is not working, and it is putting a real burden on my constituents in Alabama and people all over the country. That is why this rule allows for the consideration of two bills that are focused on simplifying the regulatory process in two very important areas, energy and agriculture.

Being from Alabama, I know a thing or two about these topics. Anyone who has ever spent time in lower Alabama during July or August knows just how

hot it can get, so that means families down there have to spend a pretty penny on their power bills during these summer months.

Well, under the Obama administration's EPA, regulations on the energy sector have skyrocketed. The costs from these regulations are most certainly passed on to the consumer in the form of higher power bills, and the compliance burdens associated with these regulations are making it harder and harder for utilities to deliver reliable power to their customers.

That is why the current enforcement structure of EPA's rule on coal combustion residuals, or CCRs, is so concerning. While most of us were pleased that the EPA decided to regulate CCR as a nonhazardous solid waste, we are left with civil suits in place of commonsense enforcement measures to make sure the industry is complying with EPA standards. This creates uncertainty among industry and a patchwork of interpretations by various courts around the country.

The EPA rule also creates some unintended consequences when it comes to Federal and State jurisdiction. That is why the Improving Coal Combustion Residuals Regulation Act empowers States and allows them to establish permit programs to meet or exceed regulatory requirements set forth in the EPA's final rule.

It only makes sense that each State, with their unique topography and geographic conditions, should be able to set the permitting requirements most appropriate for their conditions in order to meet these EPA standards. In fact, States already govern the disposal of solid and hazardous waste under the Resource Conservation and Recovery Act, or RCRA, and have done so since 1976.

It is important to point out that these regulatory reforms do not change the minimum requirements under the EPA rule, which are designed to protect human health and the environment. This legislation actually codifies these standards and sets them as the baseline for State permitting programs nationwide.

Mr. Speaker, I expect that some of my friends on the other side are going to argue that this legislation, in some way, weakens standards. Let me tell you what will result in weakened standards, allowing different Federal judges from all across the country to decide how the law should be interpreted and how standards should be set, despite the fact that these judges have no real background in regulatory matters regarding these sorts of hazardous wastes, these sorts of wastes at all.

Instead of that flawed system, let's allow States to create their own permitting system, which must comply with the EPA standard. By getting frivolous civil lawsuits out of the way, estimates project that this legislation will protect around 316,000 jobs. If my colleagues on the other side think that

this is a waste of time, then I want them to tell that to these 316,000 families.

H.R. 1734 is a good bill that makes some very sensible reforms that simplify the process for the safe management and disposal of coal ash while providing a realistic enforcement mechanism for existing environmental standards.

The second bill covered by this rule, the Safe and Accurate Food Labeling Act, deals with agriculture. Now, agriculture is the top industry in my home State of Alabama, with over 500,000 jobs. I have heard from a number of farmers who support this bipartisan legislation.

H.R. 1599 will provide much needed clarity and uniformity in the labeling of food products containing genetically engineered plants or ingredients. This commonsense legislation is supported by almost 500 associations and farmers from Hawaii to Maine.

The current regulatory system is a patchwork of State and local regulations, which create unnecessary costs among consumers and food manufacturers without really helping to increase consumer awareness. In fact, a study by Cornell University found that food prices could rise for American families by as much as \$500 a year if something isn't changed.

This legislation would streamline the labeling process and create a national, voluntary food labeling standard for products derived from GMOs. By doing so, America's farmers and food manufacturers won't be burdened with inconsistent and costly regulations.

This legislation isn't just good for producers and farmers; it creates a uniform system driven by consumer demand. Under this bill, consumers will be able to easily identify products and make their own decisions about what products are best for them and their families.

Mr. Speaker, these bills are both about reducing the regulatory burden and simplifying the regulatory process. From consumers to small-business owners to rural electric cooperatives to family farmers, people shouldn't have to spend precious time and money figuring out how to comply with regulations.

Instead, here in Congress, we should be focused on getting government out of the way and allowing the American people to actually do their job, and that is what both of these bills do.

This is a fair rule, and I urge its support. The coal ash rule allows for six amendments, all but one of them Democrat amendments. The food labeling rule allows for four amendments, all of them Democrat amendments, including one amendment that is a complete substitute for the bill.

The Rules Committee has worked very hard to make a very fair amendment process, and I believe that is exactly what this bill has done.

I do urge support for this rule.

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Alabama (Mr. BYRNE) for the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. I rise in very strong opposition to this rule, which provides for consideration of H.R. 1599, the so-called Safe and Accurate Food Labeling Act, and H.R. 1734, the Improving Coal Combustion Residuals Regulation Act.

This week, we are back on the floor with our twenty-fourth grab bag rule, one rule that governs debate for two completely unrelated measures. Today, the Republican majority has chosen to group together a bill that undermines an EPA rulemaking designed to protect public health and our environment with a bill designed to make it harder for consumers to know whether or not their food has been produced with genetically engineered ingredients.

Utilizing this kind of rule for two completely separate bills leads to disjointed debate. It limits the time that people have to be able to talk about these issues, but it is a deliberate attempt by the Republican majority to suppress debate. They don't want to bring serious issues to the floor, and they certainly don't want serious debate, and I regret very much that this has become a pattern.

I also oppose this rule because neither bill is an open rule. A lot of Members, I am sure, have a lot of issues they want to raise on both these bills, but they are not going to have that opportunity. The Rules Committee denied a whole bunch of amendments on the GMO labeling bill last night in committee.

I would urge my colleagues on both sides of the aisle to stand up for open debate and an open process and reject this. Send a message to the Republican leadership that enough is enough.

Mr. Speaker, with regard to H.R. 1734, the so-called Improving Coal Combustion Residuals Regulation Act, this bill continues the Republicans' antisense, antienvironment, antipublic health fight. There is not a week that goes by that we don't have a bill that seeks to try to undermine regulation or rulemaking that is designed to help protect the people of this country.

This bill undercuts EPA's new coal ash rule, putting many communities at risk of exposure. Coal ash is highly toxic and needs to be properly disposed of, and the devastating health effects from exposure to neurotoxins in coal ash—like lead, mercury, and arsenic—are well known.

This bill is just another Republican bill attempting to undermine common sense, health, and safety protection from toxic chemicals. The American people deserve much better. I am glad the White House has issued a veto threat against the bill.

I include the Statement of Administration Policy in the RECORD.

STATEMENT OF ADMINISTRATION POLICY

H.R. 1734—IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

(Rep. McKinley, R-WV, and 44 cosponsors; July 21, 2015)

The Administration strongly opposes H.R. 1734, because it would undermine the protection of public health and the environment provided by the Environmental Protection Agency's (EPA's) December 2014 final rule addressing the risks posed by mismanaged impoundments of coal ash and other coal combustion residuals (CCR). The 2008 failure of a coal ash impoundment in Kingston, Tennessee, and the 2014 coal ash spill into the Dan River in Eden, North Carolina, serve as stark reminders of the need for safe disposal and management of coal ash.

EPA's rule articulates clear and consistent national standards to protect public health and the environment, prevent contamination of drinking water, and minimize the risk of catastrophic failure at coal ash surface impoundments. H.R. 1734 would, however, substantially weaken these protections. For example, the bill would eliminate restrictions on how close coal ash impoundments can be located to drinking water sources. It also would undermine EPA's requirement that unlined impoundments must close or be retrofitted with protective liners if they are leaking and contaminating drinking water. Further, the bill would delay requirements in EPA's final CCR rule, including structural integrity and closure requirements, for which tailored extensions are already available through EPA's rule and through approved Solid Waste Management Plans.

While the Administration supports appropriate State program flexibility, H.R. 1734 would allow States to modify or waive critical protective requirements found in EPA's final CCR rule. Specifically, H.R. 1734 authorizes States to implement permit programs that would not meet a national minimum standard of protection and fails to provide EPA with an opportunity to review and approve State permit programs prior to implementation, departing from the longstanding precedent of previously enacted Federal environmental statutes.

Because it would undercut important national protections provided by EPA's 2014 CCR management and disposal rule, the Administration strongly opposes H.R. 1734. If the President were presented with H.R. 1734 as drafted, his senior advisors would recommend that he veto the bill.

□ 1245

Mr. MCGOVERN. Mr. Speaker, I am going to spend most of my time talking about the other bill, which I also strongly oppose, H.R. 1599, which they have titled the Safe and Accurate Food Labeling Act of 2015, one of the most misnamed pieces of legislation that I think we have considered this year.

Mr. Speaker, I believe at the center of the debate about this bill is Americans' fundamental right to know what is in the food they eat and how it is grown. I believe people ought to have the right, plain and simple.

This isn't a debate about the science behind GMOs. That is a separate debate. Yet, whether you love GMOs or hate them, you ought to know if the food that you are feeding your family is made from them.

Mr. Speaker, the Food and Drug Administration requires the labeling of

thousands of ingredients, additives, and processes, many of which have nothing to do with safety or nutrition.

For example, the FDA requires the mandatory labeling of juice when it is from concentrate. Food labels are a simple and a reliable way to tell people what is in their food and how it is made.

Americans have told us loud and clear that they want to know what is in their food. Poll after poll indicates the widespread support for labeling GMOs. A recent poll by the Mellman Group found that 91 percent are in favor of labeling with 81 percent saying they strongly prefer GMO labeling.

The support for labeling cuts across party identification, gender, age—you name it. As well, three States—Vermont, Maine, and Connecticut—have listened to their citizens and have passed laws requiring that GMO foods be labeled, and dozens more are considering similar initiatives, including my home State of Massachusetts.

I understand the concern with 50 different States passing 50 different State labeling laws. I get it. That is why I support mandatory GMO labeling. We need a national standard that eliminates confusion and puts the American people in charge.

Unfortunately, the bill before us only adds to the confusion. It codifies the existing voluntary labeling system for GMO foods that hasn't worked and that hasn't provided consumers the information that they want.

It preempts States from responding to consumer demand and requiring GMO labeling, and it invalidates State laws already in place. It continues to allow foods that contain GMOs to be labeled as "natural" despite the fact that 60 percent of Americans believe that "natural" means GMO-free.

Mr. Speaker, I have a stack of letters here from a variety of organizations that are opposed to H.R. 1599—the National Farmers Union—representing family farmers and ranchers across the country.

They oppose this bill as well as the Consumers Union, the National Black Farmers, and 125 CEOs and business leaders from Massachusetts and across the country, including Whole Foods Market co-CEO Walter Robb; Chipotle CEO and chairman Steve Ells; Clif Bar, Inc., CEO Kevin Cleary; Newman's Own Organics cofounder Nell Newman; Panera Bread, Inc., CEO Ron Shaich; Patagonia, Inc., CEO Rose Marcario; American Sustainable Business Council CEO and cofounder David Levine; Sweetgreen, Inc., cofounder Nicolas Jammet; chef and founder of the Think Food Group, Jose Andres; Craft Hospitality CEO and well-known chef, Tom Colicchio; and many, many, many others.

The supporters of H.R. 1599 oppose mandatory GMO labeling, claiming that GMO labeling would increase food prices for consumers. This is just simply untrue. I want to read a section of a letter from the CEO of Ben & Jerry's that proves the point:

"As an ice cream company that operates in more than 30 countries, many of which require mandatory GMO labeling, we are not swayed by arguments that mandatory labeling will be expensive. The truth is, we regularly make changes, sometimes big, sometimes small, to our packaging."

He continues:

"Every year, we make changes to between 25% and 50% of our packaging. Over the last 7 years, we've gone through three full line redesigns. In other words, we have changed the packaging on every single pint in our product line as a matter of normal business. I can tell you unequivocally that changing labels does not require us to raise the price of our products. Lots of things impact the cost a consumer pays for a pint of Ben & Jerry's. Label changes are not one."

Mr. Speaker, it seems to me that adding a label to indicate that a product contains GMOs ought to be pretty straightforward.

So, to the supporters of H.R. 1599, I would simply ask: What are you afraid of? Why is giving the American people more information about their food such a bad idea?

Perhaps supporters of keeping the American people in the dark believe that, if consumers know that GMOs are in their food, they won't buy it. I don't believe that to be the case. I myself consume GMO foods, as does my family, and we will continue to do so even if there is a label, but that is my choice.

H.R. 1599 really is a Washington-knows-best approach. I mean, this is the epitome of a Washington-knows-best approach. It says, We don't care what people want. We don't care what people think. We politicians in Washington know best.

I am going to tell you something. That is why people hate Congress. That is why people are frustrated with Congress. They don't think we listen.

Let me suggest to my colleagues a radical idea—and brace yourselves because this is a really, really radical idea—give the American people what they want.

I reserve the balance of my time.

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

I was listening to the gentleman's remarks. If he believes that, by codifying the EPA regulation that this bill is undermining the EPA, I just don't follow that reasoning. That is what this bill does.

It takes the EPA regulation and it codifies it. It puts it into statutory law. It sets it as a minimum, and it allows the State regulators who are already regulating solid and hazardous waste to use that as a minimum and to go above it.

Far from undermining the EPA's authority here, far from undermining the effort to get a clean environment for the people of America, this enhances it by putting it into law and allowing the States to go above it if that is what they want to do.

What this bill really does that is new and is different from what the EPA is trying to do is that it takes the enforcement of this away from different Federal courts around the country, and it gives it to the State regulators, who are already providing this regulation in other common areas and who have been since 1976.

I am a lawyer and have practiced in Federal courts. We have many fine Federal district judges around the country, but they are not experts in this area. If you bring a lawsuit in their courts, they and their law clerks will work very hard to make sure that they get it as close to right as they can.

But in not having their experience and their expertise, we are going to get a lot of differences. We are going to get a patchwork. Whereas, if we go to the State regulators, who are doing it now, we are going to get something that makes sense within each of these individual States, given their different geographies and topographies and other things that we should consider. This coal ash bill does not undermine the law. It enhances the law.

Now, on the food labeling law, we had discussion about this in the Rules Committee yesterday. I am a consumer. I go to the store. My wife sends me to the store, and she says to get this, this, this, and this. She does a lot of studying before I do that, but sometimes I have to read the labels.

Now, imagine that I go to a store where I live in Alabama and that I am an hour away from Mississippi and an hour away from Florida. Somebody has got to put a product on store shelves up and down the gulf coast, and they have got to comply with all three States' regulations on what has got to be on the label.

I am going to pick up a can, and there are going to be all of these different disclosure requirements, but they have been put on the same can because they have got to make sure they can market it in all of these States.

I have got to figure out what does all of that mean as opposed to having one common, uniform disclosure. If somebody chooses not to disclose—if a producer of a given food product chooses not to disclose whether or not it contains GMOs—I am going to assume that there are. If I have a problem with GMOs, I am not going to buy it.

Five percent of the consumers in America today won't buy GMOs, and they are pretty educated consumers. What they are going to do is they are going to go into the store and say, "All right. Who has got GMO labeling and who doesn't? If they don't, I am not buying it."

If the producers of those foods want to sell something to those customers, they had better start taking advantage of what is happening through this common rule, this uniform rule, across the country to market themselves.

Far from hurting the consumers, this helps the consumers. That is what this

bill has tried so very hard to do, and I think they have done a good job with it.

Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. NEWHOUSE), a member of the Rules Committee and a farmer himself.

Mr. NEWHOUSE. I would like to thank my colleague from Alabama, a member of the Rules Committee, as well as joining Mr. MCGOVERN with whom we share a Rules Committee assignment.

Mr. Speaker, I rise in support of the rule that we are considering as well as the underlying legislation, both bills, but I would like to specifically speak to H.R. 1599, which is, I believe, accurately labeled the Safe and Accurate Food Labeling Act. I think, also, I would like to talk to the positive impacts that it will have on our Nation's food supply.

Many of you may know that, prior to coming to Congress, I was the director of the Washington State Department of Agriculture. Shortly after my time at the WSDA, several groups in my home State of Washington proposed a ballot initiative, I-522, which would have required mandatory labeling of biotech food products or of those using ingredients that had biotech ingredients, also referred to as GMOs.

Now, I opposed I-522 for a couple of reasons but mainly because of the impact that we could see it would have on our farmers and on our ranchers and on our grocers but, more importantly, on our consumers, the families who are making food decisions in the grocery stores, who, in the end, would pay higher food prices as a result of this mandatory labeling law that was being considered.

In our State, we have the Washington Research Council, and it conducted an independent study, showing that the mandatory food labeling of biotech ingredients would cost the average family at least—at a minimum—\$450 a year in increased food costs. That is assuming that Washington was the only jurisdiction to create such a law.

Now, if other States and other cities—other localities—decided to follow suit and pass their own laws, such as Seattle or New York or Boston or San Francisco or Oregon, food producers would face an incredible, unworkable patchwork of legal definitions of what a “GMO” is and how to label it.

I can only imagine a food producer having to print, say, 100 different labels for its products depending on where they were destined, where they were to be sold, and the liability they would face if, for instance, a box of food labeled for Phoenix ended up in Las Vegas or in Los Angeles or in Salt Lake City.

Many producers are considering stopping or have stopped selling products in the State of Vermont, which is the most recent State to adopt mandatory labeling standards, because of this increased cost, because of the uncertainty and the liability that separate jurisdictions would create.

In my estimation and what the people of my State have said is that what we need is a national voluntary label, much like organic, a label which gives consumers who want to purchase non-GMO foods the freedom to do so, but that will not impose higher costs on producers or consumers.

Mr. Speaker, critics of this bill, H.R. 1599, unfairly claim it will limit the ability of consumers to know what they are purchasing; but let me say that that just simply is not the case, that it is not true.

If you go into a grocery store and want to purchase an organic product, that is something that you are easily able to do, and that is exactly what this bill will do for GMO foods. It will create a similar label.

So make no mistake. If buying non-GMO is important to any of you as a consumer, then you will have every ability to do so when you walk into a grocery store and make your purchase.

You will have the confidence of the United States Department of Agriculture's system of making sure that those labels are consistent from one State to the other; so you will know what you are buying by what that label says.

Mr. Speaker, the Founders of our Nation gave Congress a tool in our Constitution to regulate interstate commerce to prevent the types of legal patchworks and market distortions that we are beginning to see on this issue.

I strongly urge my colleagues to support the rule, to support H.R. 1599, and protect the Nation's access to safe, affordable food.

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

I appreciate the comments from my colleagues from Washington and Alabama. Both serve on the Rules Committee with me, and I respect them; but I do not think they were paying attention to my speech.

I am not arguing here for a patchwork of 50 different rules and regulations with regard to labeling. What I am saying is that what my friends are proposing here, which is voluntary labeling on non-GMO products, should be replaced with mandatory GMO labeling across the country.

That is what people want, and that is what this bill would deny. You are not only preempting States and telling States that they have no role in this debate and you are not only preempting the will of the American people here, but you are setting a standard here so that people will be kept in the dark.

□ 1300

I want uniformity, but I want more information, and this idea that somehow labeling will increase food prices is just baseless; it is baseless. There are plenty of things that increase the prices that we pay at the grocery store—transportation costs and ingredients costs, those all add to the cost—

but GMO labeling is not one of them. In study after study, we have seen that a simple GMO disclaimer on food packaging will not increase food prices.

I just read to you the letter from the CEO of Ben & Jerry's. Food companies change their labels all the time to make new claims. All food companies will soon have to change their labels to make important changes to the nutrition fact panel.

Adding a few words on the back of the food package about genetic engineering will not impact the cost of making food. That is just not a real argument; that is just baseless. Let's focus on what this bill really does. It basically keeps the American people in the dark about what is in their food.

I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO), the distinguished ranking member of the Committee on Transportation and Infrastructure.

Mr. DEFAZIO. Mr. Speaker, I have listened with interest to the speakers who preceded me, and the gentleman from Massachusetts is absolutely right. The simple solution is to adopt a uniform national mandatory standard that would give that information on the label. Eighty-eight percent of the American people who regularly are polled say: We would like that information on the label.

It will not add cost any more than printing “red dye no. 2” on the label adds cost to the label. It will add no cost. It would have a uniform national standard. You wouldn't have to worry about a proliferation of the States, and then you wouldn't have to contradict yourselves as Republicans when, every day, you are down here screaming about states' rights, and now, when States do something you don't like: Oh, my God, states' rights, out of here.

It is not just the labeling. Yeah, there are three blue States that have labeled, and you don't care if you preempt their laws—got that; but there are a lot of red States and purple States and blue States where the departments of agriculture have recognized the reality of GMO and the potential pollution of conventional non-GMO and organic crops.

We had a little incident in Oregon where all our wheat export was stopped because GMO-modified wheat was found in the middle of a very large conventional farm. Until they could figure out how it got there and how much pollution there might be or cross-contamination of Oregon's huge wheat exports, they were all stopped because 64 countries around the world require this labeling, and somehow, the U.S. conglomerates who make food and export processed food are able to label over there.

I have a Hershey's label from the EU. I will show it tomorrow. It's beautiful. It's got an American flag on it, made in the USA, contains GMOs. They can do it over there, but they can't do it here because it would just drive the price up stratospherically. That seems odd.

In fact, this would help them. If we adopted a national standard here—and the way my bill is written, it would be essentially the same as that required in the European Union and 64 other countries—then they could ship their food to all 50 States, the territories, and 64 countries around the world without having to make any changes. They might save some money then if labels are so expensive.

But, no, we are going to have a meaningless, voluntary label. Even worse, we are going to create a new label. We are going to say that “natural” means GMO. When you mate a flounder with a tomato plant—which is what they do, just like hybridizing, flounders, tomato plants, they get together all the time—that is natural.

Or when you take a salmon and you introduce an eel gene—they mate, cross-breed all the time—well, no, actually, they don’t—and the salmon grows twice as fast as normal salmon, then that is natural.

You won’t be able to say “contains GMOs” if you can say “natural” and “natural” means contains GMOs, unless they want to voluntarily go on and say: Well, under the new “natural” label, I can have GMOs, but I am going to put it is natural, but it contains GMOs.

This has the prospect of causing tremendous chaos with a new, very confusing label for the American consumers.

Back to the cross-contamination—again, this is not just a blue State issue; it is a red State issue. We have huge export markets, and those 64 countries will not accept products that contain GMOs. If you strip out State regulations, how they claim they have fixed the bill, and they don’t strip out all the State department of agriculture regulations in some 35 States around the country, many of them very red States.

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

Mr. MCGOVERN. I yield the gentleman an additional 2 minutes.

Mr. DEFAZIO. Mr. Speaker, they claim to have fixed it, but the language is still a little bit ambiguous. Many people who have read it—experts say no, actually, it looks like we are preempting State department of agriculture on separation and buffer zones and other things to protect conventional farmers, organic farmers from the GMOs.

I had a very simple amendment that would just say this does not preempt any State department of agriculture which has adopted for the purposes of redacting conventional crops, non-GMO, and organic crops for reasonable buffer zones and other sorts of provisions to prevent that cross-contamination. That is wiped out by this bill, in my opinion and the opinion of many other experts. My amendment was not allowed.

I am thankful that I had one amendment allowed which will say, if you are

already labeling it in countries all around the world, you have got to label it here. That is good, but preferably, we would have uniform labeling of everything in the 50 States and internationally by just requiring that you disclose that it contains GMOs.

There is another amendment that will be offered tomorrow which will do away with this new “natural” standard, “natural” meaning mandatorily under Federal law contains GMOs. “Natural” can contain GMOs. I think that is pretty disingenuous, and I am not sure who slipped that little beauty in there.

If you want to talk about confusing consumers, “organic,” “natural.” Whoa, what is the difference between “natural” and “organic”? Well, I like “natural.” “Organic,” that sounds kind of complicated; I will go with “natural.” Oh, that contains GMOs. Well, it doesn’t say that. No, it doesn’t. It says “natural.” “Natural” contains GMOs.

If the gentleman is really concerned about consumer confusion, you should support that amendment tomorrow to do away with this new disingenuous label.

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

Mr. Speaker, I wanted to assure my friend from Massachusetts that the gentleman from Washington and I are indeed paying attention to him, as we do in the Committee on Rules. He is a very knowledgeable gentleman and certainly makes very interesting points.

The problem is that, as I listened to you talk, what you were saying, the gentleman says, I think quite eloquently, that we need a national standard, and right now, we don’t have a national standard. This bill will provide a national standard.

If you want a national standard, the status quo doesn’t get you there. If you want a national standard, this bill gets you there. That is why the bill has been offered. That is why we have this rule today, and that is why it is so important that we have this debate and the debate on the underlying rule, so we can make sure we are all straight about what this bill does and does not do.

This bill does something that is not being done right now. It provides a national standard for GMO. The gentleman, I think, would like for it to be mandatory; the bill calls for it to be voluntary. We can disagree about whether or not that is advisable, but we can’t disagree about the fact that there is no national standard now, and this bill provides one.

I want to make sure the gentleman knows, we listened to him. He makes very interesting points that are always educational to us, but we don’t agree with his line of thought here. This bill, in our judgment, gets us where I think he is trying to take us to go.

I reserve the balance of my time.

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

Mr. Speaker, I would just simply say to the gentleman, I agree with him

that this bill that will be considered tomorrow that this rule will make in order does create a national standard.

The problem is that it is a national standard that keeps consumers in the dark about what is in their food. Many of us would prefer a national standard that kind of shines some light on what is in people’s food so that consumers know what they are buying. That is what consumers want.

I will go back to what I said in my opening statement. I know this is a radical idea in this particular Congress, but we ought to try something different. We ought to try giving the American people what they want. On this issue, they want to know what is in their food. They want to know whether their foods contain GMOs.

Again, this is not a debate about whether GMOs are good or bad. As I said before, I eat GMOs; I consume GMOs; my family consumes GMOs. That is not what this debate is about. This is about information, transparency, and giving consumers what they want.

Mr. Speaker, I am going to ask my colleagues to defeat the previous question, and if we do, I will offer an amendment to the rule to bring up H.R. 3064, a comprehensive 6-year surface transportation bill that is partially paid for by restricting U.S. companies from using so-called inversion to shirk their tax obligations.

I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the distinguished ranking member of the Committee on Budget, to discuss this proposal.

Mr. VAN HOLLEN. Mr. Speaker, I do just want to take a break from the GMO debate to talk about a huge problem confronting our country, and that is the infrastructure that is in disrepair, from roads to bridges to transit ways around this country.

The American people know it, and they are backed up in what they can see in front of them by a report from the American Society of Civil Engineers. They are the nonpartisan pros; they are the experts.

They have looked at the state of American infrastructure and given us a grade of a D-plus—D-plus. Nobody should be happy with a D-plus. The sad thing is that this Congress should get an F grade for failing to respond to the bad grade with respect to our failing infrastructure.

In the face of this big problem, what did the House do? Well, we are about to run out of money in 8 days. We are about to see the end of the authorization in 8 days; so the House of Representatives, instead of coming up with

a long-term plan to address this issue, which is what we should do, came up with another kick-the-can-down-the-road Band-Aid approach. They said, we are going to provide an extension of the inadequate funding for just 5 more months, just to December of this year.

Now, we are a great country, and I think everybody knows that if you are planning to make major investments in infrastructure, whether it is our roads or our bridges or transit ways, you need a little more certainty and stability than that.

Certainly, the private sector couldn't plan on 5-month intervals, and we are asking these companies and these workers and these States to come up with long-term plans for our States and for our country on infrastructure, but we are only going to give them 5 months of certainty going forward. We think that is a bad idea. Guess what. Senate Republicans also think that is a bad idea. They came up with a 6-year plan.

Now, what we are providing this House today is the opportunity on the very next vote to vote for the opportunity to vote on a robust 6-year transportation infrastructure plan that is fully funded for the first 2 years.

How do we pay for that 2-year installment? We pay for it, Mr. Speaker, by getting rid of this egregious tax loophole that many multinational corporations are using to escape their responsibilities to the American taxpayer.

Here is how it works. You have an American company. Their headquarters are here; their people are here; everything they do is here. Then they go and they purchase a small company, a small foreign company, and they move their mailing address overseas to that small company, and then that American company benefits from the educational system we have here in the United States.

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

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. VAN HOLLEN. Mr. Speaker, they purchase a small foreign company, and then they move their mailing address overseas to that small company. They then say to the American taxpayer: Guess what. We don't have to pay any more taxes in the United States. We don't have to pay taxes for the infrastructure that we have that does support us. We don't have to pay for the education system that supports us. We want a free ride.

Now, we need to close down this tax break. More and more companies every day are taking advantage of it.

□ 1315

If you close that loophole, you generate \$40 billion. And you use that money that otherwise would go to the bottom line of these corporations that are trying to escape their responsibility to the American people and you invest it in infrastructure right here at

home. You help modernize your infrastructure, and you put more people to work.

We have introduced a piece of legislation, Mr. Speaker, to do that. The bill is H.R. 3064. And if we defeat the previous question, we as a House will have an opportunity to vote on a 6-year, robust transportation plan that is funded for 2 years by closing this egregious tax loophole that is being exploited by corporations.

Let's defeat the previous question. Let's do the right thing for American workers and American infrastructure.

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

Mr. Speaker, I appreciate the points of the gentleman from Maryland. I, too, would like to see a 6-year highway bill. If you come to my district and see Interstate 10 going through Mobile at rush hour, on a holiday weekend, or on a summer weekend, you will see cars backed up just about every direction. We need another I-10 bridge across the Mobile River. We can't do that with a short-term highway bill.

So I strongly support what you are trying to accomplish—maybe not exactly how you are trying to get there, but I certainly support the concept there.

Here is the problem, though. Your idea, whatever it is, hasn't been vetted through committee. You are just going to put it up here in place of whatever we have got, and there really won't be an adequate opportunity for the Members of this House to understand all the details, and the details are going to matter.

Also, I was listening to the gentleman from Massachusetts in his initial statement talk about how inappropriate it is that we put two different bills on two different topics under one rule, and now we are going to interject transportation. Well, if agriculture and energy are confusing, if we add transportation, it is going to be further confusing.

So as much as I appreciate the idea that the gentleman from Maryland has—perhaps not the specifics, but the idea—this is not the appropriate place, and this is certainly not the appropriate rule for us to be discussing it.

When the time comes to be appropriate, I will actually move the previous question, but I will also ask all of my colleagues to support the previous question when I do so. I believe that is the appropriate way for this House to handle a matter of this magnitude, and it is a matter of great magnitude.

I reserve the balance of my time.

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

Before I close, I will insert in the RECORD a letter from the National Farmers Union supporting mandatory GMO labeling and opposed to H.R. 1599; a letter from Dr. John W. Boyd, Jr., the Founder and President of the National Black Farmers Association; a letter from Ben Burkett, the Executive Director of the National Family Farm Coal-

tion, opposed to H.R. 1599; a letter from the Consumers Union opposed to H.R. 1599; a letter from Jostein Solheim, the CEO of Ben & Jerry's, opposed to the underlying bill; a letter from Tom Colicchio on behalf of the Food Policy Action group, opposed to H.R. 1599; a letter from Scott Faber, Senior Vice President for Governmental Affairs at EWG, opposed to H.R. 1599; a letter from the Consumer Federation of America opposed to H.R. 1599 and in support of mandatory GMO labeling; a letter from the CEO of National Co+op Grocers, opposed to the bill; and a letter from a group called Just Label It, signed by a whole bunch of people opposed to the bill and for mandatory GMO labeling.

[From the National Farmers Union, July 21, 2015]

NFU REITERATES SUPPORT FOR MANDATORY GMO LABELING, OPPOSES POMPEO BILL BUT NOTES PROGRESS

WASHINGTON.—In light of the U.S. House of Representatives' consideration of the Safe and Accurate Food Labeling Act (H.R. 1599), National Farmers Union (NFU) President Roger Johnson again highlighted NFU policy on Genetically Modified Organism (GMO) labeling. The policy supports conspicuous, mandatory, uniform and federal labeling for food products throughout the processing chain to include all ingredients, additives and processes, including genetically altered or engineered food products.

"NFU appreciates efforts by Representatives Pompeo, R-Kansas, and Davis, R-Illinois, to reduce consumer confusion and standardize a GMO label," said Johnson. "The bill passed out of committee makes significant improvements over previous versions of this bill. Absent a mandatory labeling framework, however, NFU cannot support this bill."

Johnson noted that the bill has changed several times from the one introduced during the last Congress. Improvements include additional authority for the U.S. Department of Agriculture (USDA), a labeling framework that if utilized could reduce consumer confusion, greater emphasis on the Food and Drug Administration's role in safety reviews, and a GMO label that works in conjunction with USDA's organic seal instead of counter to it.

"Consumers increasingly want to know more information about their food, and producers want to share that information with them," said Johnson. "It is time to find common ground that includes some form of mandatory disclosure for the benefit of all aspects of the value chain, but this bill is not that common ground."

JULY 15, 2015.

Hon. JOHN BOEHNER,
Office of the Speaker of the House.

Hon. NANCY PELOSI,
Office of the Democratic Leader.
Re "Safe and Accurate Food Labeling Act,"
H.R. 1599

DEAR SPEAKER BOEHNER AND LEADER PELOSI: The National Black Farmers Association (NBFA), a non-profit organization representing African American farmers and their families with tens of thousands of members nationwide, urge you to oppose the "Safe and Accurate Food Labeling Act" (also known as the "Deny Americans the Right to Know (DARK) Act").

NBFA strongly supports mandatory labeling of genetically engineered foods (commonly called "GMOs"). But in spite of its name, the "Safe and Accurate Food Labeling

Act” undermines farmworker safety and labeling by:

Preempting states from regulating GMO crops to protect farmworker health, public health, and the environment;

Codifying the current, broken voluntary labeling system;

Allowing “natural” foods to contain GMO ingredients and preempt state efforts to end misleading “natural” claims; and

Virtually eliminating FDA’s ability to craft a national GMO labeling system.

While NBFA does not object to farmers growing GMO crops per se, we are aware of the increased use of toxic weed killers associated with herbicide-tolerant GMO crops. As farmers, NBFA members know firsthand that consumers are demanding more information about the food they feed their families—not less.

NBFA stands with the vast majority of Americans who are in favor of labeling GMOs. Because the “Safe and Accurate Food Labeling Act” does not require GMO labels, we urge you to oppose the bill.

Sincerely,

DR. JOHN W. BOYD, JR.,
*Founder and President,
 National Black Farmers Association.*

NATIONAL FAMILY FARM COALITION,
Washington, DC, July 21, 2015.

DEAR REPRESENTATIVE, On behalf of the family farmers, ranchers and fishermen we represent, the National Family Farm Coalition (NFFC) urges you to oppose H.R. 1599, the Safe and Accurate Food Labeling Act. H.R. 1599 proponents claim it would establish a national standard for labeling products containing GMOs. In reality, this bill fails to provide more accurate labeling and significantly curtails the ability of state, local and municipal governments to protect their constituents.

H.R. 1599 would establish a voluntary national standard that companies could use to label their products as GMO-free, but FDA guidelines have provided this option for companies since 2001. An overwhelming 88 percent of consumers favor required labeling of food products containing GMOs in a Mellman Group study, but H.R. 1599’s voluntary program would also allow companies to label products containing GMOs as ‘natural’, which is vague and misleading to consumers.

H.R. 1599 would invalidate dozens of state and local laws across the nation. The GMO labeling laws that citizens and legislators worked for diligently in Vermont, Maine and Connecticut would be preempted. Furthermore, H.R. 1599 would block laws creating buffer zones around schools and hospitals to protect children and patients from pesticide exposure, as in Hawaii.

For non-GMO farmers, H.R. 1599 would be disastrous as it would preempt laws designed to protect them from GMO contamination of their fields. Farmers have already suffered through the contamination of wheat, rice and other crops, having lost export dollars to Asian markets that demand non-GMO varieties. Without strong regulations and oversight, farmers’ crops and livelihoods are at risk in ways that they, their families and their communities cannot afford.

Striking down the laws around food and food production that a broad array of citizens and officials have worked to enact undermines the democratic processes guaranteed by our constitution. The NFFC asks you to oppose H.R. 1599, thereby preserving the rights of people to know what they are growing and consuming.

Sincerely,

BEN BURKETT,
NFFC Executive Board President.

CONSUMERSUNION®,

Washington, DC, July 21, 2015.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: Consumers Union, the policy and advocacy arm of Consumer Reports, strongly urges you to vote no on H.R. 1599, introduced by Representative Pompeo, which we understand the House will consider this week. The bill would very broadly preempt state laws relating to genetically engineered (GE) food and crops, and ban any level of government from requiring GE food to be labeled as such.

Consumers Union supports mandatory labeling of GE food, and opposes H.R. 1599, for several reasons. First, consumers want labeling. Polls, including our own, show that more than 90% of consumers want GE food to be labeled accordingly. Yet H.R. 1599 would codify current prevailing federal policy, in which any labeling of GE food must be the voluntary choice of the food producer—a policy which has only generated confusion. The Food and Drug Administration (FDA) adopted this policy 15 years ago, and today there is not a single food product on the market that carries a label indicating it contains GE ingredients.

Second, there are numerous precedents for mandatory labeling. FDA already requires labeling of food if it is homogenized, frozen, or made from concentrate. Some 64 countries, including most of our major trading partners, require labeling of GE food.

Third, states have begun to act on the clear requests of their citizens for information on whether the food they buy contains GE ingredients. Vermont, Maine, and Connecticut have passed legislation requiring labeling of food from GE plants. Other states, including New York, New Jersey, Pennsylvania, Massachusetts, and Illinois, have considered bills. Whether enacted by state legislatures or approved by voters, the ability of states to act democratically to carry out the wishes of their citizens on GE food labeling should not be impeded by Congress.

Fourth, H.R. 1599 would permit the use of “natural” claims on the labels of GE food until FDA finalizes a rule defining “natural” and decides whether it will continue to allow this practice. The bill would also prohibit states from taking their own steps to regulate the use of these claims. Polling by Consumer Reports has found that more than 60% of consumers are misled, in that they already believe a “natural” label on a product means it does not contain genetically modified ingredients. Fully 85% of consumers think that a “natural” label on packaged or processed foods should mean no genetically modified ingredients were used. Yet Consumer Reports testing last year identified five food products labeled “natural” that actually did contain such ingredients. By allowing foods labeled as “natural” to contain GE ingredients, H.R. 1599 would authorize a deceptive practice that is highly inconsistent with consumer expectations.

Fifth, mandatory GE food labeling would not be expensive. An analysis commissioned by Consumers Union and conducted by an independent economic research firm found from a review of published research that the median cost of requiring GE food labeling is \$2.30 per person annually—less than a penny a day for each consumer. This figure takes into account one-time implementation expenses, so the actual cost per person could be even lower.

Finally, H.R. 1599 goes beyond the question of labeling to explicitly prohibit state or local requirements related to the use of GE plants for food in interstate commerce. Restrictions on growing such crops in California, Oregon, Washington, and Hawaii would likely be severely restricted or invali-

dated. These measures were adopted for a variety of reasons, including to prevent the contamination of specialty crops destined for export, protect against invasive species, and limit the use of toxic pesticides, such as glyphosate, which many GE crops have been engineered to tolerate and which was recently classified by the World Health Organization’s cancer research arm as probably carcinogenic to humans.

We therefore strongly urge you to vote no on H.R. 1599, which is contrary to what consumers want, and which would profoundly interfere with the ability of state and local governments to respond to the needs of their citizens.

Sincerely,

JEAN HALLORAN,
*Director, Food Policy
 Initiatives, Con-
 sumers Union.*

URVASHI RANGAN,
*Director, Consumer
 Safety and Sustain-
 ability, Consumer
 Reports.*

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: I write on behalf of Ben & Jerry’s to urge you to oppose H.R. 1599, the Safe and Accurate Food Labeling Act of 2015, otherwise known as the DARK Act.

As you know, national public opinion polling shows that more than 90% of Americans want to know whether the products they purchase contain genetically engineered ingredients (GMOs). Just like labels that require disclosure of farm-raised salmon or orange juice from concentrate, mandatory labeling of GMO food will provide consumers the information they need to make choices for themselves and their families. Only mandatory GMO labeling will ensure that American consumers have the same right to know what’s in the food as citizens in 64 other countries around the world, including many where Ben & Jerry’s operates. H.R. 1599, with its voluntary framework for labeling products without GMOs, will only enhance confusion in the marketplace.

As a Vermont-based company, we are particularly troubled that H.R. 1599 would preempt Vermont’s Act 120, which beginning in July of 2016, will require labeling of food products with GMO ingredients sold in Vermont. As a food company doing business in all 50 states, we’d prefer a national standard for mandatory GMO labeling, but absent that, we support states like Vermont passing legislation that ensures transparency and consumers’ right to know.

As an ice cream company that operates in more than 30 countries, many of which require mandatory GMO labeling, we are not swayed by arguments that mandatory labeling will be expensive. The truth is, we regularly make changes, sometimes big, sometimes small to our packaging. Every year, we make changes to between 25% and 50% of our packaging. Over the last 7 years, we’ve gone through three full line redesigns. In other words, we have changed the packaging on every single pint in our product line as a matter of normal business. I can tell you unequivocally that changing labels does not require us raise the price of our products. Lots of things impact the cost a consumer pays for a pint of Ben & Jerry’s. Label changes are not one.

I’d be more than happy to discuss this issue and how it would impact a large international food company like ours in more detail with you or your staff. I urge you to stand with the more than 90% of Americans

that support transparency in our food system by opposing H.R. 1599.

All the best,

JOSTEIN SOLHEIM,
CEO, Ben & Jerry's.

FOOD POLICY ACTION,
Washington, DC, July 16, 2015.

DEAR REPRESENTATIVE: I urge you to oppose H.R. 1599, legislation designed to block state and federal GMO labeling laws and to weaken regulation of GMO crops.

As a chef, I want to know what I am feeding my customers. And, my customers want to know what's in their food and how it's grown.

So, I am shocked that some legislators in Washington are trying to deny consumers this basic right.

Next week, legislators in the U.S. House of Representatives will consider H.R. 1599, legislation that would block states from requiring GMO labels and that would make it virtually impossible for FDA to craft a national GMO labeling system.

But that's not all. H.R. 1599 would also block states from regulating GMO crops to protect farmers and public health.

Nine out of ten consumers tell us they want the right to know whether their food contains GMOs—just like consumers in 64 other nations. But, H.R. 1599 would deny them this right.

Congress should be leading efforts to give consumers more information about what's in their food and how it's grown, not less.

I urge you to oppose H.R. 1599.

Sincerely,

TOM COLICCHIO.

EWG,
Washington, DC, July 20, 2015.

DEAR REPRESENTATIVE: EWG strongly opposes H.R. 1599, the so-called "Safe and Accurate Food Labeling Act of 2015." We urge you to vote NO.

Consumers have the right to know what is in their food and how it is grown. H.R. 1599 would deny consumers this basic right by preempting state GMO labeling laws, virtually eliminating the ability of the Food and Drug Administration to craft a national mandatory GMO labeling system, by enshrining a voluntary GMO labeling system that has failed consumers, and by allowing "natural" claims on GMO foods.

Nine out of ten consumers want the right to know whether their food has been produced with genetically modified food ingredients—just like consumers in 64 other nations. GMO labeling has not increased food prices in other nations, and studies show that a modest GMO disclosure on the back of food packages will have no impact on food prices or food security needs.

In addition, H.R. 1599 would preempt state and local GMO crop regulations designed to protect farmers from economic harms caused by GMO crops. More than 40 states and counties have adopted rules designed to protect farmers and rural residents from the impacts of GMO crops.

Consumers should have the right to know what it's their food and how it's grown. We urge you to vote NO on H.R. 1599.

Sincerely,

SCOTT FABER,
Senior Vice President for
Government Affairs, EWG.

CONSUMER FEDERATION OF AMERICA,
Washington, DC, July 20, 2015.

DEAR MEMBER OF CONGRESS: On behalf of Consumer Federation of America (CFA), I urge you to vote in opposition to the Safe and Accurate Food Labeling Act of 2015 (H.R. 1599) when it comes up for a full floor vote. CFA is an association of 250 nonprofit con-

sumer organizations across the country that was established in 1968 to advance the consumer interest through research, advocacy and education.

Contrary to its name, the Safe and Accurate Food Labeling Act is not an appropriate solution to labeling genetically modified organisms (GMOs). Instead, the Act would codify the current voluntary system which has not provided consumers the information they want to know. It would pre-empt state GMO labeling laws passed to provide their constituents with accurate information about their food. The Act would also create consumer confusion in the marketplace by allowing food companies to continue making "natural" claims on products containing GMO foods.

More and more, American consumers want information about the food they feed to their families. American consumers have a right to know what is in their food, just like consumers in 64 countries who already have the right to know whether their food contains GMOs. Voluntary labeling, as proposed in the Act, is not effective because it does not provide consistent information to consumers. Instead, consumers get information only from some companies who choose to provide it and not from other companies. A better solution is the GE Food Right to Know Act introduced by Senator Boxer and Representative DeFazio, which would require GMO foods to be labeled, providing consumers with the consistent information they deserve.

I urge you to oppose the Safe and Accurate Food Labeling Act of 2015 (H.R. 1599) when it comes up for a full floor vote.

Thank you for your consideration.

Sincerely,

CHRIS WALDROP.

NATIONAL CO-OP GROCERS,
Iowa City, IA, July 17, 2015.

DEAR REPRESENTATIVE: National Co-op Grocers (NCG) supports consumers' right to information, including sufficient product labeling, so that people can make their own informed purchasing decisions. We strongly oppose The Safe and Accurate Food Labeling Act (H.R. 1599) because it:

1. Lacks transparency. H.R. 1599 merely codifies the status quo of voluntary labeling. In the 14 years since the FDA has allowed companies to voluntarily label foods that have been produced using genetic engineering, no single company has labeled them as such. Only mandatory labeling fulfills consumer demand for transparency regarding GMOs.

2. Undermines public will. Multiple surveys have shown that the majority of Americans, regardless of age, income, education, or party affiliation, want GMO foods to be labeled. H.R. 1599 nullifies GMO labeling laws that are already on the books in Vermont, Connecticut and Maine. Furthermore, the bill preempts states by blocking any future state legislation or ballot initiatives that would require GMO labeling. While NCG favors a national solution, we support states' efforts in the absence of federally regulated mandatory labeling.

3. Heightens consumer confusion. Newly inserted language would allow food companies to continue to make "natural" claims on foods produced using genetic engineering and would also block state efforts to protect consumers from misleading "natural" claims. Because many consumers believe that "natural" foods are produced without genetically engineered ingredients, H.R. 1599 would only perpetuate consumer confusion in the marketplace.

NCG is a business services cooperative for retail food co-ops located throughout the United States. We represent 143 food co-ops

operating over 195 stores in 38 states with combined annual sales of over \$1.7 billion and over 1.3 million consumer-owners. We urge Congress to reject H.R. 1599.

Thank you for your time and consideration of this issue.

Sincerely,

ROBYNN SHRADER,
National Co-op Grocers CEO.

JUST LABEL IT!,
Washington, DC, July 20, 2015.

DEAR REPRESENTATIVE: We urge you to oppose H.R. 1599, which would deny Americans the right to know whether their food contains genetically modified food ingredients.

National polls show that nine out of ten Americans want the right know if their food contains GMOs. Regardless of age, income, education level or even party affiliation, Americans want the right to know what is in their food and how it was produced—the same right held by citizens in 64 other nations.

As business leaders, we hope that you will reject H.R. 1599 and instead require food companies to label products that contain GMOs.

If enacted, H.R. 1599 would limit the FDA's ability to create a national GMO labeling system, weaken our broken voluntary labeling system, and block state initiatives to give citizens this basic information about their food.

Congress has long recognized that Americans should be given basic information about their food and trusted to make the right choices for their families.

We urge you to honor this longstanding tradition and to reject H.R. 1599.

Sincerely,

Andrew Abraham, Founder and CEO, Orgain Inc., CA; José Andrés, Chef and Founder, Think Food Group, DC; Summer Auerbach, Second Generation Owner, Rainbow Blossom Natural Food Markets, KY; Dan Barber, Chef/Co-Owner, Blue Hill at Stone Barns, NY; Brandon Barnholt, President and CEO, KeHE Distributors LLC, IL; Fedele Bauccio, CEO, Bon Appétit Management, CA; Rick Bayless, Chef/Owner, Frontera Grill, IL; Andy and Rachel Berliner, Co-Founders, Amy's Kitchen, CA; Trudy Bialic, Director, Public Affairs, PCC Natural Markets, WA; Mitch Blumenthal, Founder, Global Organic Specialty Source Inc, FL.

Marco Borges, CEO, 22 Days Nutrition, FL; Doug Brent, CEO, Made in Nature LLC, CO; Clifford Brett Jr., CEO/Owner, Kimberthon Whole Foods, PA; Peter and Janie Brodhead, Owners, Brighter Day Natural Foods Market, GA; David Bronner, CEO, Dr. Bronner's Inc., CA; Michael Branner, Founder and Chairman, UNREAL Inc., MA; Jonas Buehl, Owner, The Crunchy Grocer, CO; Jon Cadoux, Founder/CEO, Peak Organic Brewing Company, ME; Yvonne Chamberlain, Owner, The Market @ Tree of Life Center, TN; Kevin Cleary, CEO, Clif Bar & Company, CA.

Morty Cohen, CEO, Falcon Trading Company, CA; Tom Colicchio, CEO, Craft Hospitality, NY; Kerry Collins, CEO, Applegate Inc., NJ; Kit Crawford, Co-Owner, Clif Bar & Company, CA; Nicole Dawes, President, COO, Late July Organics, MA; Joel Dee, President, Edward & Sons Trading Company, CA; Valerie Deptula, President, The Good Earth Natural Foods Co., MD; Steve Diakowsky, President and CEO, Taste of Nature Foods Inc., CA; Norman Dill, Owner/President, Rebecca's Natural Food, VA; Adnan Durrani, CEO, Saffron Road Inc., CT.

Steve Ells, Chairman and CEO, Chipotle, CO; Shane Emmett, CEO, Health Warrior, VA; Gary Erickson, Co-Owner and Founder, Clif Bar & Company, CA; Susie Farbin, Co-Owner, Mama Jean's Natural Market, MO;

Jerry Farrell, Owner/President, Rising Tide Natural Market, NY; Mark Fergusson, Chief Executive Officer, Down to Earth Organic & Natural, HI; Mike Ferry, President, Horizon Organic, CO; John Foraker, CEO, Annie's Inc., CA; Leonard Freeke, CEO and Founder, The Veri Soda Company, NY; Michael Funk, Co-Founder and Chairman, United Natural Foods Inc., RI.

Robert Gerner, President, The Natural Grocery Company, CA; Diane Gibb-Lahodny, Owner, Campbell's Nutrition, IA; Neal Gottlieb, CEO, Three Twins Ice Cream, CA; Gail Graham, General Manager, Mississippi Market Natural Foods Coop, MN; Jerry Greenfield, Co-Founder, Ben & Jerry's Inc., VT; Hitesh Hajarnavis, Founder, esSvee, Life, NJ; Kristi Harwell, Owner/CEO, New Leaf Community Market, CA; Ben Henderson, Owner, Bare Essentials Natural Market, NC; Belinda Higuera, CEO, Berryvale Grocery, CA; Gary Hirshberg, Chairman, Stonyfield Farm Inc., NH; Roland Hoch, Vice President, Global Organics Ltd., MA.

Janie Hoffman, CEO and Founder, Mamma Chia, CA; Stephanie Hong, CEO, Real Food Company, CA; Steve Hughes, Founder and CEO, Boulder Brands Inc., CO; Cheryl Hughes, Owner, The Whole Wheatery, CA; Nicolas Jammet, Co-Founder, Sweetgreen Inc., DC; Mindee Jeffery, Product & Standards Analyst, Good Earth Natural Foods, CA; Blair Kellison, CEO, Traditional Medicinals, CA; Rosanne Kiely, Owner, West Village Market & Deli, NC; Ashley Koff, CEO, Ashley Koff RD LLC, DC; Jesse LaFlamme, CEO, Pete and Gerry's Organic Eggs, NH.

Donna Layburn, President, Alameda Natural Grocery, CA; Lanis LeBaron, Owner, Lupines Natural Foods, CA; David Levine, Co-Founder and CEO, American Sustainable Business Council, DC; Grant Lundberg, CEO, Lundberg Family Farms Inc., CA; Susan and Maury Lyon, Owners, Cornucopia Natural Food & Fine Cheese, IL; Rose Marcario, CEO, Patagonia Inc., CA; Matt McLean, Founder and CEO, Uncle Matt's Organic, FL; Danny Meyer, CEO, Union Square Hospitality Group, NY; Paku Misra, Owner/CEO, Sunflower Natural Foods Market, NY; Sam Mogannam, Founder and President, Bi-Rite Market, CA.

Marie Montemurro, Owner, Lovey's Natural Foods and Cafe, NC; Rod Moyer, Co-Founder, Beverage Innovations Inc., FL; Dean Nelson, President, Dean's Natural Food Markets, NJ; Nell Newman, Co-Founder, Newman's Own Organics, CT; Ted Niehaus, Owner/CEO, Naturally Organic, IL; Michel Nischan, President/CEO, Wholesome Wave, CT; Bu Nygrens, Co-Founder and Director of Purchasing, Veritable Vegetable, CA; Doug Obenhaus, Grocery Manager, Royal River Natural Foods, ME; Gwyneth Paltrow, Founder and CCO, goop.com, CA; Nick Pascoe, Owner/President Bear Foods Natural Market & Café-Cr éperie, WA; John Pittari Jr., President, Proprietor, New Morning Market, CT.

Mark Polson, Owner/CEO, Polson's Natural Foods, IL; Michael Potter, Chairman and President, Eden Foods, MI; Angela Reusing, Chef-Owner, Lantern, NC; Douglas Riboud, Co-Founder and Co-CEO, Harmless Harvest, CA; Evan Richards, Founder, Rejuvenative Foods, CA; Walter Robb, Co-CEO, Whole Foods Market, TX; Maria Rodale, CEO, Rodale Press, PA; Edouard Rollet, Co-Founder, Alter Eco Foods, CA; Layne Rolston, Communications Director, Good Food Store, MT.

Scott Roseman, Founder and CEO, New Leaf Community Markets, CA; Bob Scaman, President, Goodness Greeness, IL; Mark Schoninger, Owner, Bath Natural Market ME; Erin Schrode, Co-Founder and Spokeswoman, Turning Green, CA; Mathieu Senard, Co-Founder, Alter Eco Foods, CA; Ron

Shaich, CEO, Panera Bread Inc., MA; Alan Shepherd, Owner, Rocket Market, WA; Corinne Shindelar, CEO, Independent Natural Food Retailers Association, MN; Ron Sjoquist, General Manager, Good Harvest Market, WI.

Robynn Shrader, CEO, National Co-op Grocers, IA; Craig Sieben, President, Sieben Energy Associates, IL; George Siemon, CEO, Organic Valley, WI; Irwin D. Simon, Founder, Chairman, President and CEO, The Hain Celestial Group Inc., NY; Jim Slama, President Family Farmed, IL; Joel Solomon, CEO, Joel Solomon Company, TN; Jimbo Someck, President, Jimbo's Naturally, CA; Tom Spier, CEO, Boulder Food Group, CO; Steve Spinner, CEO, United Natural Foods Inc., RI; Mark Squire, President and CEO, Good Earth Natural Foods, CA; Adam and Debra Stark, Owners, Debra's Natural Gourmet, MA; Arran Stephens, Co-Founder and CEO, Nature's Path Foods, WA.

Bobby Sullivan, General Manager, French Broad Food Co-op, NC; Kelly Swette, CEO, Sweet Earth Natural Foods, CA; Sam Talbot, Founding Executive Chef, The Surf Lodge, NY; Shazi Visram, Founder/CEO, Happy Family Brands, NY; Dennis Wagner, President, Rainbow Grocery Cooperative Inc., CA; Laughing Water, Owner, Real Food Market & Deli, MT; Bill Weiland, President and CEO, Presence Marketing, IL; Cindy Weinfurter, Owner, The Free Market, WI; Tim Westwell, CEO, Pukka Herbs Inc., DE; Bill Whyte, CEO and Founder, W.S. Badger Company Inc., NH; Stephen Williamson, CEO, Forager Project CA; John Wood II, Owner, The Green Grocer, RI; Alex Young, Zingerman's Roadhouse, MI.

Mr. MCGOVERN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 7½ minutes remaining.

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

First of all, I oppose the rule because it is not an open rule. A number of amendments were not made in order. Again, it is kind of a hodgepodge, grab-bag rule where we are dealing with multiple issues that are not related. We have to end this practice. Voting against this rule is one way to demonstrate your dissatisfaction.

But let me close talking about H.R. 1599 and basically urge my colleagues to be opposed to this bill. The fact of the matter is, as a parent—and I think I speak for all parents—I think we want to know what is in the food that we are feeding our family. That is why I support mandatory GMO labeling. Not 50 different labels of 50 different States, but mandatory, standardized GMO labeling.

Americans want to know what is in their food. American consumers want the same right as consumers in 64 other countries who already have the right to know whether their food contains GMOs. Why we should not have that same right is beyond me, but I guess Washington knows best.

Support for GMO labeling crosses demographic boundaries. Polls show more than 90 percent of Americans want the right to know, regardless of age, income, education, or party affiliation. Millions of Americans have taken action. More than 1.4 million Americans have joined a petition to FDA demanding the right to know what is in their food.

H.R. 1599, which has been dubbed the "Dark Act," will basically block State GMO labeling laws. This will preempt GMO labeling laws that have already been passed in Vermont, Maine, and Connecticut, and pending in 17 other State legislatures.

This bill also will allow the bogus natural claims to continue. It allows food companies to continue to make natural claims on GMO foods and block the State efforts to protect consumers from this misleading natural claim. As I pointed out, when consumers see a product that says "natural," they think it means no GMOs.

Mr. Speaker, I have heard my colleagues say that GMOs are safe and why is this labeling necessary. This debate is not about the safety of GMOs. As I mentioned before and I will mention again, I consume GMOs, my family does. This is about consumers' right to know what is in the food they put on their tables. We ought to give them that right.

This debate isn't about what the label should say. We can work on the label. We aren't proposing a skull and crossbones on the packaging. It is not a warning to consumers. It is a label simply disclosing the presence of GMOs. Consumers are free to use this information as they wish, but those who want to know should be able to know.

We had a fight about mandatory uniform nutrition labels in the 1980s, and I think there is no doubt consumers are better off for it. People are better served by knowing the nutrition information in their foods.

Why do my friends want to keep Americans in the dark? I would just say people who are listening to this debate ought to call their Representatives and tell them that they want more information, not less. They want to be more informed about what they are purchasing for their families.

This shouldn't be a controversial idea. This shouldn't be a radical idea. Let's give the people what they want. Let's do that for a change. Maybe our approval ratings will go up.

Mr. Speaker, I urge my colleagues to vote "no" on the previous question and "no" on the rule, and I yield back the balance of my time.

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

I appreciate the gentleman from Massachusetts' interest in this very important topic.

We said it several times. I am going to say it again. What this bill does is provides a national label where there is no label now at the national level; and we believe so strongly in that, that we put forward this bill. Our side put forward this bill to give us a national label because there is none now. There is zero, and you would be, as a consumer, totally depending upon your local government, your State government, coming up with it. You may find that your government at the local level has one thing, your State government

at the State level has another, a community down the road has a different one. The idea behind the uniformity is to give consumers a uniform way of understanding what this information is.

I do wonder, by the way, what some people at home may be thinking when they hear all this talk about GMOs. They may be running to the refrigerator and saying, What is this GMO stuff?

The truth of the matter is we all are probably consuming GMOs, because they have actually been a tremendous benefit not just to the agricultural industry, but to us consumers. It gives us so many different varieties of good quality food that we didn't have before.

So this is not about whether GMOs are a good thing or a bad thing. They are about our side providing a vehicle to give a national labeling system today, where there is none today. I think the consumers of America will appreciate the fact that we did that.

I do want to go back and say one last thing about the coal ash bill. There has been a lot of talk about somehow this bill weakening the EPA regulation. Totally to the contrary, this bill codifies the regulation in statutory law. Whereas under the present regime at the EPA they are not going to do any oversight over how it is going to be implemented, they are going to rely upon people to file lawsuits in various Federal courts around the Nation, this bill provides that State regulators who are already doing this for the most part will be the ones to provide that regulation with their substantial expertise and experience, which, I can tell you from my years of practicing law in Federal courts, the vast majority of our Federal judges don't have that. They will do their jobs. They will do their homework. Their law clerks will work with them, but they won't bring to it what these State regulators have.

So we have substantially enhanced the regulation here. We have substantially enhanced its implementation by having this bill before the House and the House adopting it.

As they consider these two bills, I would urge everyone to understand that what we have offered in these bills is good for consumers and it is good for the economy of the United States because it lessens that regulatory burden I have talked about at the beginning.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 369 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3064) to authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General de-

bate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3064.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amend-

ment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BYRNE. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 369, if ordered; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 239, nays 167, not voting 27, as follows:

[Roll No. 450]

YEAS—239

Abraham	Crawford	Grothman
Aderholt	Crenshaw	Guinta
Allen	Culberson	Guthrie
Amash	Curbelo (FL)	Hanna
Amodei	Davis, Rodney	Hardy
Babin	Denham	Harper
Barletta	Dent	Harris
Barr	DeSantis	Hartzler
Barton	DesJarlais	Heck (NV)
Benishek	Diaz-Balart	Hensarling
Bilirakis	Dold	Herrera Beutler
Bishop (MI)	Donovan	Hice, Jody B.
Bishop (UT)	Duffy	Hill
Black	Duncan (SC)	Holding
Blackburn	Duncan (TN)	Hudson
Blum	Ellmers (NC)	Huelskamp
Bost	Emmer (MN)	Huizenga (MI)
Boustany	Farenthold	Hultgren
Brady (TX)	Fincher	Hunter
Brat	Fitzpatrick	Hurd (TX)
Brooks (AL)	Fleischmann	Issa
Brooks (IN)	Fleming	Jenkins (KS)
Buck	Flores	Jenkins (WV)
Bucshon	Forbes	Johnson (OH)
Burgess	Fortenberry	Johnson, Sam
Byrne	Foxo	Jolly
Calvert	Franks (AZ)	Jones
Carter (GA)	Frelinghuysen	Jordan
Chabot	Garrett	Joyce
Chaffetz	Gibbs	Katko
Coffman	Gibson	Kelly (MS)
Cole	Gohmert	Kelly (PA)
Collins (GA)	Goodlatte	King (IA)
Collins (NY)	Gosar	King (NY)
Comstock	Gowdy	Kinzinger (IL)
Conaway	Granger	Kline
Cook	Graves (GA)	Knight
Costello (PA)	Graves (LA)	Labrador
Cramer	Griffith	LaMalfa

Lamborn	Paulsen	Simpson	Velázquez	Wasserman	Wilson (FL)	McKinley	Reichert	Stefanik
Lance	Pearce	Smith (MO)	Visclosky	Schultz		McMorris	Renacci	Stivers
Latta	Perry	Smith (NE)	Walz	Watson Coleman		Rodgers	Ribble	Stutzman
LoBiondo	Pittenger	Smith (NJ)			NOT VOTING—27	McSally	Rice (SC)	Thompson (PA)
Long	Pitts	Smith (TX)				Meadows	Rigell	Thornberry
Loudermilk	Poe (TX)	Stefanik	Aguilar	Costa	Kirkpatrick	Meehan	Roby	Tiberi
Love	Poliquin	Stewart	Blumenauer	Esty	Lynch	Messer	Roe (TN)	Tipton
Lucas	Pompeo	Stivers	Brady (PA)	Graves (MO)	Moore	Mica	Rogers (AL)	Trott
Luetkemeyer	Posey	Stutzman	Bridenstine	Gutiérrez	Sarbanes	Miller (FL)	Rogers (KY)	Turner
Lummis	Price, Tom	Thompson (PA)	Buchanan	Hahn	Schiff	Miller (MI)	Rohrabacher	Upton
MacArthur	Ratcliffe	Thornberry	Carter (TX)	Heck (WA)	Smith (WA)	Moolenaar	Rokita	Valadao
Marchant	Reed	Tiberi	Castro (TX)	Hurt (VA)	Waters, Maxine	Mooney (WV)	Rooney (FL)	Wagner
Marino	Reichert	Tipton	Clarke (NY)	Israel	Welch	Mullin	Ros-Lehtinen	Walberg
Massie	Renacci	Trott	Clawson (FL)	Kennedy	Yarmuth	Mulvaney	Roskam	Walden
McCarthy	Ribble	Turner				Murphy (PA)	Ross	Walker
McCaul	Rice (SC)	Upton				Neugebauer	Rothfus	Walorski
McClintock	Rigell	Valadao			□ 1352	Newhouse	Rouzer	Walters, Mimi
McHenry	Roby	Wagner				Noem	Royce	Weber (TX)
McKinley	Roe (TN)	Walberg				Nugent	Russell	Webster (FL)
McMorris	Rogers (AL)	Walden				Nunes	Ryan (WI)	Wenstrup
Rodgers	Rogers (KY)	Walker				Olson	Salmon	Westerman
McSally	Rohrabacher	Walorski				Palazzo	Sanford	Westmoreland
Meadows	Rokita	Walters, Mimi				Palmer	Scalise	Whitfield
Meehan	Rooney (FL)	Weber (TX)				Paulsen	Schweikert	Williams
Messer	Ros-Lehtinen	Webster (FL)				Pearce	Scott, Austin	Wilson (SC)
Mica	Roskam	Wenstrup				Perry	Sensenbrenner	Wittman
Miller (FL)	Ross	Westerman				Pittenger	Sessions	Womack
Miller (MI)	Rothfus	Westmoreland				Pitts	Shimkus	Woodall
Moolenaar	Rouzer	Whitfield				Poe (TX)	Shuster	Yoder
Mooney (WV)	Royce	Williams				Poliquin	Simpson	Yoho
Mullin	Russell	Wilson (SC)				Pompeo	Sinema	Young (AK)
Mulvaney	Ryan (WI)	Wittman				Posey	Smith (MO)	Young (IA)
Murphy (PA)	Salmon	Womack				Price, Tom	Smith (NE)	Young (IN)
Neugebauer	Sanford	Woodall				Ratcliffe	Smith (NJ)	Zeldin
Newhouse	Scalise	Yoder				Reed	Smith (TX)	Zinke
Noem	Schweikert	Yoho						
Nugent	Scott, Austin	Young (AK)						
Nunes	Sensenbrenner	Young (IA)						
Olson	Sessions	Young (IN)						
Palazzo	Shimkus	Zeldin						
Palmer	Shuster	Zinke						

NAYS—167

Adams	Foster	Moulton
Ashford	Frankel (FL)	Murphy (FL)
Bass	Fudge	Nadler
Beatty	Gabbard	Napolitano
Becerra	Gallego	Neal
Bera	Garamendi	Nolan
Beyer	Graham	Norcross
Bishop (GA)	Grayson	O'Rourke
Bonamici	Green, Al	Pallone
Boyle, Brendan	Green, Gene	Pascrell
F.	Grijalva	Payne
Brown (FL)	Hastings	Pelosi
Brownley (CA)	Higgins	Perlmutter
Bustos	Himes	Peters
Butterfield	Hinojosa	Peterson
Capps	Honda	Pingree
Capuano	Hoyer	Pocan
Cárdenas	Huffman	Polis
Carney	Jackson Lee	Price (NC)
Carson (IN)	Jeffries	Quigley
Cartwright	Johnson (GA)	Rangel
Castor (FL)	Johnson, E. B.	Rice (NY)
Chu, Judy	Kaptur	Richmond
Ciциlline	Keating	Roybal-Allard
Clark (MA)	Kelly (IL)	Ruiz
Clay	Kildee	Ruppersberger
Cleaver	Kilmer	Rush
Clyburn	Kind	Ryan (OH)
Cohen	Kuster	Sánchez, Linda
Connolly	Langevin	T.
Conyers	Larsen (WA)	Sanchez, Loretta
Cooper	Larson (CT)	Schakowsky
Courtney	Lawrence	Schrader
Crowley	Lee	Scott (VA)
Cuellar	Levin	Scott, David
Cummings	Lewis	Serrano
Davis (CA)	Lieu, Ted	Sewell (AL)
Davis, Danny	Lipinski	Sherman
DeFazio	Loeb sack	Sires
DeGette	Lofgren	Slaughter
Delaney	Lowenthal	Smith (WA)
DeLauro	Lowe y	Speier
DelBene	Lujan Grisham	Swalwell (CA)
DeSaulnier	(NM)	Takai
Deutch	Luján, Ben Ray	Takano
Dingell	(NM)	Thompson (CA)
Doggett	Maloney,	Thompson (MS)
Doyle, Michael	Carolyn	Titus
F.	Maloney, Sean	Tonko
Duckworth	Matsui	Torres
Edwards	McColum	Tsongas
Ellison	McDermott	Van Hollen
Engel	McGovern	Vargas
Eshoo	McNerney	Veasey
Farr	Meeks	Vela
Fattah	Meng	

Aguiar	Costa	Kirkpatrick
Blumenauer	Esty	Lynch
Brady (PA)	Graves (MO)	Moore
Bridenstine	Gutiérrez	Sarbanes
Buchanan	Hahn	Schiff
Carter (TX)	Heck (WA)	Smith (WA)
Castro (TX)	Hurt (VA)	Waters, Maxine
Clarke (NY)	Israel	Welch
Clawson (FL)	Kennedy	Yarmuth

□ 1352

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall vote No. 450 on H. Res. 369. Had I been present, I would have voted "yes."

Stated against:

Mr. SCHIFF. Mr. Speaker, on rollcall No. 450, had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. MCGOVERN. 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 242, noes 175, not voting 16, as follows:

[Roll No. 451]

AYES—242

Abraham	Denham	Hill
Aderholt	Dent	Holding
Allen	DeSantis	Hudson
Amash	DesJarlais	Huelskamp
Amodei	Diaz-Balart	Huizenga (MI)
Babin	Dold	Hultgren
Barletta	Donovan	Hunter
Barr	Duffy	Hurd (TX)
Barton	Duncan (SC)	Hurt (VA)
Benishak	Duncan (TN)	Issa
Bilirakis	Ellmers (NC)	Jenkins (KS)
Bishop (MI)	Emmer (MN)	Jenkins (WV)
Bishop (UT)	Farenthold	Johnson (OH)
Black	Fincher	Johnson, Sam
Blackburn	Fitzpatrick	Jolly
Blum	Fleischmann	Jones
Bost	Fleming	Jordan
Boustany	Flores	Joyce
Brady (TX)	Forbes	Katko
Brat	Fortenberry	Kelly (MS)
Bridenstine	Fox	Kelly (PA)
Brooks (AL)	Franks (AZ)	King (IA)
Brooks (IN)	Frelinghuysen	King (NY)
Buck	Garrett	Kinzinger (IL)
Bucshon	Gibbs	Kline
Burgess	Gibson	Knight
Byrne	Gohmert	Labrador
Calvert	Goodlatte	LaMalfa
Carter (GA)	Gosar	Lamborn
Chabot	Gowdy	Lance
Chaffetz	Granger	Latta
Coffman	Graves (GA)	LoBiondo
Cole	Graves (LA)	Long
Collins (GA)	Griffith	Loudermilk
Collins (NY)	Grothman	Love
Comstock	Guinta	Lucas
Conaway	Guthrie	Luetkemeyer
Cook	Hanna	Lummis
Costa	Hardy	MacArthur
Costello (PA)	Harper	Marchant
Cramer	Harris	Marino
Crawford	Hartzler	Massie
Crenshaw	Heck (NV)	McCarthy
Culberson	Hensarling	McCauley
Curbelo (FL)	Herrera Beutler	McClintock
Davis, Rodney	Hice, Jody B.	McHenry

NOES—175

Adams	Fudge	Murphy (FL)
Aguilar	Gabbard	Nadler
Ashford	Gallego	Napolitano
Bass	Garamendi	Neal
Beatty	Graham	Nolan
Becerra	Grayson	Norcross
Bera	Green, Al	O'Rourke
Beyer	Green, Gene	Pallone
Bishop (GA)	Grijalva	Pascrell
Bonamici	Hahn	Payne
Boyle, Brendan	Hastings	Pelosi
F.	Higgins	Perlmutter
Brown (FL)	Himes	Peters
Brownley (CA)	Hinojosa	Peterson
Bustos	Honda	Pingree
Butterfield	Hoyer	Pocan
Capps	Huffman	Polis
Capuano	Israel	Price (NC)
Cárdenas	Jackson Lee	Quigley
Carney	Jeffries	Rangel
Carson (IN)	Johnson (GA)	Rice (NY)
Cartwright	Johnson, E. B.	Richmond
Castor (FL)	Kaptur	Roybal-Allard
Chu, Judy	Keating	Ruiz
Ciциlline	Kelly (IL)	Ruppersberger
Clark (MA)	Kennedy	Rush
Clay	Kildee	Ryan (OH)
Cleaver	Kilmer	Sánchez, Linda
Clyburn	Kind	T.
Cohen	Kirkpatrick	Sanchez, Loretta
Connolly	Kuster	Sarbanes
Conyers	Langevin	Schakowsky
Cooper	Larsen (WA)	Schrader
Courtney	Larson (CT)	Scott (VA)
Crowley	Lawrence	Scott, David
Cuellar	Lee	Serrano
Cummings	Levin	Sewell (AL)
Davis (CA)	Lewis	Sherman
Davis, Danny	Lieu, Ted	Sires
DeFazio	Lipinski	Slaughter
DeGette	Loeb sack	Smith (WA)
Delaney	Lofgren	Speier
DeLauro	Lowenthal	Swalwell (CA)
DelBene	Lowe y	Takai
DeSaulnier	Lujan Grisham	Takano
Deutch	(NM)	Thompson (CA)
Dingell	Luján, Ben Ray	Thompson (MS)
Doggett	(NM)	Titus
Doyle, Michael	Maloney,	Tonko
F.	Carolyn	Torres
Duckworth	Maloney, Sean	Tsongas
Edwards	Matsui	Van Hollen
Ellison	McColum	Vargas
Engel	McDermott	Veasey
Eshoo	McGovern	Vela
Farr	McNerney	Velázquez
Fattah	Meeks	
	Meng	
	Moulton	

Visclosky Wasserman Welch
Walz Schultz Wilson (FL)
Watson Coleman

NOT VOTING—16

Blumenauer Clawson (FL) Moore
Brady (PA) Esty Stewart
Buchanan Graves (MO) Waters, Maxine
Carter (TX) Gutiérrez Yarmuth
Castro (TX) Heck (WA)
Clarke (NY) Lynch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1401

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on rollcall No. 450, the Motion on Ordering the Previous Question to the Rule providing for consideration of H.R. 1599 and H.R. 1734. I was not present for the vote due to attending a national security briefing at the White House. I intended to vote “nay.” On rollcall No. 451, the Rule providing for consideration of H.R. 1599 and H.R. 1734, I intended to vote “nay.”

THE JOURNAL

The SPEAKER pro tempore. 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.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 249, noes 169, answered “present” 2, not voting 13, as follows:

[Roll No. 452]

AYES—249

Abraham Byrne Davis (CA)
Aderholt Calvert Davis, Danny
Allen Capps DeGette
Amodei Cardenas DeLauro
Ashford Carney DeBene
Barletta Carson (IN) DeSaulnier
Barton Cartwright DesJarlais
Beatty Castro (TX) Deutch
Becerra Chabot Dingell
Bera Chaffetz Doggett
Bilirakis Chu, Judy Donovan
Bishop (GA) Cicilline Doyle, Michael
Bishop (UT) Clay F.
Black Cleaver Duncan (SC)
Blackburn Cohen Duncan (TN)
Blum Cole Edwards
Bonamici Collins (NY) Ellison
Boustany Comstock Emmer (MN)
Brady (TX) Cook Engel
Brat Cooper Eshoo
Bridenstine Courtney Farr
Brooks (AL) Cramer Fattah
Brooks (IN) Crawford Fincher
Brown (FL) Crenshaw Fleischmann
Bustos Crowley Forbes
Butterfield Cuellar Fortenberry

Foster Lofgren Ross
Frankel (FL) Long Rothfus
Franks (AZ) Loudermilk Royce
Frelinghuysen Love Ruiz
Gabbard Lowenthal Ruppertsberger
Gallego Lucas Rush
Garamendi Luetkemeyer Russell
Garrett Lujan Grisham Ryan (WI)
Gibbs (NM) Salmon
Goodlatte Luján, Ben Ray Sanford
Graham (NM) Scalise
Granger Lummis Schiff
Graves (LA) Maloney, Carolyn Schweikert
Grayson Marino Scott (VA)
Griffith Massie Scott, Austin
Grothman Guthrie Scott, David
Guthrie McCarthy Sensenbrenner
Hahn McCaul Sessions
Hardy McClintock Sherman
Harper McCollum Shimkus
Harris McHenry Shuster
Hensarling McMorris Simpson
Higgins Rodgers Smith (NE)
Himes Meadows Smith (NJ)
Hinojosa Meeks Smith (TX)
Huelskamp Meng Smith (WA)
Huffman Messer Speier
Hultgren Mica Stefanik
Hunter Miller (MI) Stewart
Hurd (TX) Moolenaar Stutzman
Hurt (VA) Mullin Takai
Jackson Lee Nadler Takano
Jeffries Napolitano Thornberry
Johnson (GA) Neugebauer Tiberi
Johnson, E. B. Newhouse Titus
Johnson, Sam Noem Trott
Jolly Nunes Tsongas
Jones O'Rourke Upton
Kaptur Olson Van Hollen
Katko Palmer Wagner
Keating Pascrell Walorski
Kelly (IL) Pearce Walters, Mimi
Kelly (MS) Pelosi Walz
Kelly (PA) Perlmutter Wasserman
Kildee Pingree Schultz
King (IA) Pittenger Webster (FL)
King (NY) Pitts Welch
Kline Pocan Wenstrup
Knight Pompeo Westerman
Kuster Posey Westmoreland
Labrador Price (NC) Williams
LaMalfa Quigley Wilson (FL)
Lamborn Reichert Wilson (SC)
Larsen (WA) Ribble Womack
Larson (CT) Roby Yarmuth
Latta Rogers (KY) Young (IA)
Levin Rokita Young (IN)
Lipinski Rooney (FL) Zeldin
Loebsock Roskam Zinke

NOES—169

Adams Diaz-Balart Kilmer
Aguilar Dold Kind
Amash Duckworth Kinzinger (IL)
Babin Duffy Kirkpatrick
Barr Ellmers (NC) Lance
Bass Farenthold Langevin
Benishek Fitzpatrick Lawrence
Beyer Fleming Lee
Bishop (MI) Flores Lewis
Bost Poxx Lieu, Ted
Boyle, Brendan Fudge LoBiondo
F. Gibson Lowey
Brownley (CA) Gosar MacArthur
Buck Gowdy Maloney, Sean
Bucshon Graves (GA) Marchant
Burgess Green, Al Matsui
Capuano Green, Gene McDermott
Carter (GA) Guinta McGovern
Castor (FL) Hanna McKinley
Clark (MA) Hartzler McNerney
Clarke (NY) Hastings McSally
Clyburn Heck (NV) Meehan
Coffman Herrera Beutler Miller (FL)
Collins (GA) Hice, Jody B. Mooney (WV)
Conaway Hill Moulton
Connolly Holding Mulvaney
Conyers Honda Murphy (FL)
Costa Hoyer Murphy (PA)
Costello (PA) Hudson Neal
Culbertson Huizenga (MI) Nolan
Cummings Israel Norcross
Curbelo (FL) Issa Nugent
Davis, Rodney Jenkins (KS) Palazzo
DeFazio Jenkins (WV) Pallone
Delaney Johnson (OH) Paulsen
Denham Jordan Payne
Dent Joyce Perry
DeSantis Kennedy Peters

Peterson Ryan (OH) Torres
Poe (TX) Sánchez, Linda Turner
Poliquin T. Valadao
Polis Sanchez, Loretta Vargas
Price, Tom Sarbanes Veasey
Rangel Schakowsky Vela
Ratcliffe Schrader Velázquez
Reed Serrano Visclosky
Renacci Sewell (AL) Walberg
Rice (NY) Sinema Walden
Rice (SC) Sires Walker
Richmond Slaughter Watson Coleman
Rigell Smith (MO) Weber (TX)
Roe (TN) Stivers Whitfield
Rogers (AL) Swallow (CA) Wittman
Rohrabacher Thompson (CA) Woodall
Ros-Lehtinen Thompson (MS) Yoder
Rouzer Thompson (PA) Yoho
Roybal-Allard Tipton Young (AK)

ANSWERED “PRESENT”—2

Gohmert Tonko

NOT VOTING—13

Blumenauer Esty Lynch
Brady (PA) Graves (MO) Moore
Buchanan Grijalva Waters, Maxine
Carter (TX) Gutiérrez
Clawson (FL) Heck (WA)

□ 1408

So the Journal was approved.

The result of the vote was announced as above recorded.

OFFICIAL PHOTOGRAPH OF 114TH CONGRESS

The SPEAKER. Pursuant to House Resolution 292, this time has been designated for the taking of the official photo of the House of Representatives in session.

The House will be in a brief recess while the Chamber is being prepared for the photo. As soon as the photographer indicates that these preparations are complete, the Chair will call the House to order to resume its actual session for the taking of the photograph. At that point the Members will take their cues from the photographer. Shortly after the photographer is finished, the House will proceed with business.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess while the Chamber is being prepared.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1414

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 14 minutes p.m.

(Thereupon, the Members sat for the official photograph of the House of Representatives for the 114th Congress.)

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the chair.

Accordingly (at 2 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HUDSON) at 4 p.m.

—————
HOUR OF MEETING ON TOMORROW

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

—————
IMPROVING COAL COMBUSTION
RESIDUALS REGULATION ACT OF
2015

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 the bill, H.R. 1734.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 369 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. 1734.

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

□ 1602

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. 1734) 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. HULTGREN 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 New Jersey (Mr. PALLONE) 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, in December of last year, EPA put out its final rule for coal ash. We applaud EPA's decision to regulate coal ash under subtitle D, confirming what we have been saying all along, that coal ash is not hazardous.

All you have to do is talk to any of the thousands of coal ash recyclers across the country, and they will tell

you that not only is coal ash not hazardous, it is an essential component in their product. However, the rule remains seriously flawed; and implementation will result in confusion, conflict, and a lot of needless litigation.

A fundamental flaw with the rule is that it is self-implementing, which means that, now that EPA has finalized the rule, going forward, there will be zero regulatory oversight of coal ash by the EPA. What this means is that all of the requirements in the final rule, no matter how protective you believe they are, will be interpreted and implemented by the utilities with no oversight or enforcement by the EPA or the States.

This leads us to one of the other key flaws with the final rule, which is that it is enforceable only through citizen suits. Think about that; the final rule sets out a complex set of technical requirements for coal ash, but interpreting what they mean and how to implement them is left entirely to the regulated community with citizen lawsuits in Federal Court as the only mechanism for enforcement.

This will result in an unpredictable array of regulatory interpretations as judges throughout the country are forced to make technical compliance decisions that are better left to a regulatory agency.

Under current law, State permit programs will not operate in lieu of the final coal ash rule. Even if States adopt the final rule, regulated entities must comply with the requirements in the Federal rule and their State. This means, even if a utility was in full compliance with their State coal ash permit, they could and would be sued for noncompliance with the Federal rule.

The Western Governors' Association said it best in a letter to the House and Senate leadership on May 15 of this year:

Unfortunately, EPA's final rule produces an unintended regulatory consequence in that it creates a dual Federal and State regulatory system. This is because EPA is not allowed under RCRA subtitle D to delegate the CCR program to States in lieu of the Federal program.

Also, the rule does not require facilities to obtain permits, does not require States to adopt and implement new rules, and cannot be enforced by EPA. The rule's only compliance mechanism is for a State or citizen group to bring a citizen suit in Federal District Court under RCRA section 7002. This approach marginalizes the role of State regulation, oversight, and enforcement.

This brings us to where we are today, in need of legislative solution to address the fundamental flaws with the final rule. H.R. 1734 is the solution. The bill addresses the self-implementing aspect of the final rule, as well as the problem with citizen suit enforcement, by establishing enforceable permit programs that directly incorporate the technical requirements of the final rule.

The bill will ensure that every State has a coal ash permit program, that

every permit program will contain all of the minimal Federal standards or something more stringent, and that the technical requirements of EPA's final rule are implemented with direct regulatory oversight and enforcement.

The bill requires owners and operators to take actions such as preparing a fugitive dust control plan and conducting structural stability inspections within 8 months from the date of enactment, which makes compliance with these and other requirements directly in line with the timeframe for compliance under the final rule.

Notably, H.R. 1734 also requires owners and operators to begin groundwater monitoring within 36 months from the date of enactment with State environmental agencies immediately ensuring compliance, rather than having to wait for the courts.

It treats inactive surface impoundments in exactly the same manner as the final rule; applies all of the location restrictions from the final rule to the new surface impoundments and expansions of existing impoundments; and will ensure all relevant information—including all information associated with the issuance of permits, all groundwater monitoring data, structural stability assessments, emergency action plans, fugitive dust control plans, information regarding corrective action remedies, and certifications regarding closure—be made available on the Internet.

H.R. 1734 expressly protects the ability to file citizen suits under RCRA while ensuring parties to a lawsuit demonstrate actual harm from the coal ash and not just that a utility allegedly violated the requirements of the rule.

Some say that the bill "goes too far" because it allows States to exercise flexibility and make site-specific, risk-based decisions. Others say that the bill is a "giveaway" to the utilities or that allowing the States to exercise the same flexibility available under other RCRA permit programs "weakens" the requirement of the final rule.

To that, we say H.R. 1734 simply gives the States the same authority to implement coal ash permit programs that they have for other RCRA subtitle D and even subtitle C permit programs.

We trust the States are in the best position to analyze the local conditions and make risk-based permit decisions. We also know EPA trusts the States because EPA relies on the States for the implementation and enforcement of RCRA.

As we have heard before from the Environmental Council of the States and the Association of State and Territorial Solid Waste Management Officials and from the States themselves, they welcome the new minimum Federal requirements, are up to the task of regulating coal ash, and strongly support H.R. 1734.

In addition to ECOS and ASTSWMO, H.R. 1734 enjoys support from a wide array of stakeholders, including Utility

Solid Waste Activities Group, Edison Electric Institute, the National Rural Electric Cooperative, American Public Power Association, the Western Governors Association I mentioned earlier, American Coal Ash Association, and the U.S. Chamber of Commerce.

I reserve the balance of my time.

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

Mr. Chairman, I oppose this legislation.

H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015 is both unnecessary and dangerous legislation. The administration opposes the bill; and, if it somehow passes Congress, it will be vetoed.

The bill is also opposed by over 180 environmental, public health, and civil rights groups, including the Sierra Club, the League of Conservation Voters, NAACP, NRDC, and Earthjustice.

They oppose this legislation because it would block EPA's final coal ash rule and roll back important protections for human health and the environment. EPA's rule has put these protections in place after years of hard work and public process.

Transparency requirements, groundwater protection standards, cleanup requirements, location restrictions, and liner requirements all will protect human health and the environment. These requirements are long overdue.

Mr. Chairman, we have known for years that unsafe coal ash disposal threatens groundwater, drinking water, and air quality. Contaminants can leach into groundwater and drinking water supplies or become airborne as toxic dust. Aging or deficient impoundments can fail structurally, resulting in catastrophic floods of toxic sludge entering neighboring communities.

Contamination can pose serious and widespread health risks. Just last year, a coal ash spill in North Carolina affected drinking water systems in Virginia. In 2005, a smaller spill in Pennsylvania affected drinking water systems in my home State of New Jersey.

Unfortunately, these incidents are not uncommon. EPA has now identified 157 damage cases from coal ash contamination. If EPA's rule is delayed or undermined, that number will likely continue to grow.

At the same time, Mr. Chairman, that EPA's rule includes many important protections, it is also balanced and responsive to industry concerns. When EPA solicited comments on their proposed rule, they heard from coal ash recyclers that they wanted a subtitle D, nonhazardous rule. That is what EPA finalized.

Those in the electric utility industry wanted a subtitle D rule that would not require them to retrofit their existing impoundments with liners. Again, that is what EPA finalized. States wanted a mechanism to set up their own programs to implement Federal standards and to have EPA approve them. EPA provided that in the final rule as well.

EPA's balanced rule has eliminated past justifications for coal ash legislation. Past concerns that EPA would not be able to finalize a coal ash rule no longer have merit because EPA has done so, and past concerns that EPA might regulate coal ash as hazardous no longer have merit because EPA finalized a nonhazardous rule and has no plans to reverse direction.

Past contentions that EPA needed legislation to effectively protect public health no longer have merit because EPA has confidence that the rule will be effective and protective. Past concerns over enforcement of a subtitle D rule have been addressed because EPA has established mechanisms to review and approve State programs enforcing the rule.

The bottom line, Mr. Chairman, is that legislation is not warranted. Even if it were, this bill would not be the vehicle because it dangerously eliminates or undermines necessary protections.

A number of amendments were to be filed to preserve some of the important requirements in EPA's final rule, and I understand that some of these may be accepted, but I want to stress that these amendments highlight only a subset of the problems with this bill. Even if all the amendments were adopted, the bill would still be unnecessary and a dangerous precedent for public health.

I urge everyone to oppose the bill, Mr. Chairman, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia (Mr. MCKINLEY), a real fighter for coal in the country.

Mr. MCKINLEY. Mr. Chairman, for 35 years, Congress has wrestled with how to deal with coal ash, an unavoidable byproduct of burning coal.

Every day, coal ash is produced in more than 500 coal-fired plants located in 49 States, spread across 207 congressional districts. Each one of those dots represents where every day in America coal ash is being produced. This issue is not a State issue; this is a national issue that needs to be addressed. Over 140 million tons of coal ash are produced annually in each one of those red dots.

I recently received a letter of support from the pulp and paper industry which recycles fly ash and employs nearly 900,000 people in 47 States. Their comment, they want to see this bill pass because, "The EPA's proposed regulation provides a complicated approach to enforcing the regulation," and this bill "provides clarity and certainty."

Now, last year, in December, the EPA issued its regulation—indeed, they did—on fly ash. To its credit, the EPA addressed one of the more immediate concerns and opted, however, just for now, to regulate coal ash as a nonhazardous waste.

The question legitimately needs to be raised, and it has been: Why is this legislation needed?

It is two issues. First, the nonhazardous designation is not permanent;

and, secondly, the only oversight mechanism in the rule is lawsuits.

□ 1615

Let's be more specific. The nonhazardous designation is merely applicable as long as this rule is not modified. Even in the preamble, the EPA indicates they may reverse their decision and ultimately regulate fly ash as a hazardous material.

More specifically from the rule, it says: The EPA is deferring its final decision because of regulatory uncertainties that cannot be resolved at this time.

This uncertainty could be devastating to recyclers. The science is settled on fly ash, and it should trump political and ideological interference. Are we living in a nation of rules and regulation or are we living in a nation of laws?

This bill ensures that the EPA will not be able to retroactively reverse its original decision. But secondly and equally and maybe more so important is the rule of this omission of specificity and the lack of State or Federal oversight of coal ash disposal. And remember what I just said, the lack of State or Federal oversight that is provided in the rule.

The way the rule is currently written, oversight will occur only through lawsuits, not through regulators.

The bill, however, addresses regulatory uncertainty by guaranteeing that every State will have a coal ash permit program in concert with the EPA, but with State oversight and that every program will meet the standards set forth under the proposed EPA rule. Nothing in the rule was omitted in the legislation.

Rather, the bill modifies the rule to allow States the flexibility to implement an adequate, sufficient, and successful coal ash permit program. It simply ensures that the lawsuits are not the only regulatory component.

Let me give you an example on how the language within the rule could be a problem. The rule states: The owner or operator of a CCR unit must install a sufficient number of wells to yield groundwater samples.

Mr. Chairman, who defines what "sufficient" is? One utility in one State may say it is 10 wells. In another State, it may be 20 or 30.

Under this rule, the decision will be handled by a Federal judge rather than a State environmental agency. That is what we corrected with this bill. This is not the fly ash bill from 30 years ago.

We have worked with the EPA in developing this legislation. Perhaps, Mr. Chairman, the administration hasn't read the bill because the bill, one, codifies the rule. It doesn't eliminate anything. It codifies the rule.

Secondly, it removes the uncertainty with the regulatory designation. Three, it enhances oversight. Fourthly, it requires every State to have a coal ash program.

The CHAIR. The time of the gentleman has expired.

Mr. SHIMKUS. Mr. Chair, I yield an additional 1 minute to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chair, in so doing, in providing for the coal ash program, we finally have a national system for oversight of dams.

Think about that. We haven't had that up to this point. That is what caused the problem in the first place, was lack of dam safety.

Secondly, we are going to have enhanced water quality. We are going to have improved environmental considerations.

This rule will go into effect October 19 of this year. Without this legislative action, regulatory uncertainty surrounding the disposal of coal ash will continue as it has for 35 years.

It is imperative we pass this bill today and continue to move forward. The clock is ticking, and the time is now to finally put this issue behind us.

I encourage all of my colleagues on both sides of the aisle to put this issue to rest. We have come to a compromise with the EPA. The administration needs to come on board finally.

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

The gentleman from West Virginia seems to suggest that this legislation will improve enforcement of EPA's important coal ash standards.

If that were true, the public interest groups that have fought for strong standards for years would support it.

Democratic Members that have conducted strong oversight of coal ash disasters in the rulemaking process would also support it.

And the EPA, which has worked for decades to establish effective protective requirements, would support it.

Those environmental groups and public health groups strongly oppose this bill, I strongly oppose this bill, and the administration strongly opposes the bill.

That is because this bill is not needed to ensure effective enforcement of the EPA's coal ash rule, and it won't have that effect.

You may hear that EPA's rule will only be enforced through citizen suits, and that is simply not true. While citizen suits have been and will continue to be an important component of all environmental enforcement, States will play an important part in enforcing EPA's final coal ash rule.

They will do so either by bringing citizen suits themselves or by incorporating the requirements of EPA's rule into their State programs.

States want to take on this role. They told the EPA as much in comments on the coal ash proposed rule.

In response to those requests, EPA established in the rule a mechanism to review and approve State programs implementing these requirements.

EPA expects the States to make use of this mechanism and implement the rules requirements through approved programs. So the claim that enforcement will depend exclusively on citizen suits should not be believed.

You have heard also from the chairman of the subcommittee that EPA's rule will be plagued by dual enforcement.

This is the opposite of the claim that enforcement will happen only through citizen suits, but is often made by the same parties. This claim is also untrue.

The mechanism EPA set up in the rule will allow for States to get approval for their programs, meaning EPA will make clear that they have reviewed the State program and found that it is at least as stringent as the Federal requirements.

In other words, EPA will make clear that a facility complying with the State program is, without question, also complying with the Federal requirements.

Citizens groups are unlikely to bring suit against facilities in compliance. If they were to do so, such suits would not go very far.

So, Mr. Chairman, contrary to the claim that judges would be interpreting the requirements differently left and right, Federal judges would defer to EPA's expert evaluations of the sufficiency of State programs.

These enforcement concerns are not the real motivation for this bill. As I said, if this is about improving compliance and enforcement, it would have widespread support.

Instead, this bill is about undermining important health and environmental protections, and that is why it faces widespread opposition.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentleman from southwestern Indiana (Mr. BUCSHON), my colleague and next-door neighbor.

Mr. BUCSHON. Mr. Chairman, I rise today in support of H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015.

This legislation will have a direct impact on the constituents in the Eighth District because Indiana has more coal ash ponds than any other State.

I was concerned that the EPA's final rule on coal combustion residuals lacked clarity and did not adequately address enforcement of the Federal minimum standards for public health and safety.

H.R. 1734 fixes this by giving States like Indiana the authority to implement coal ash rules in a way that protects the environment, public health, and good-paying jobs rather than totally deferring to bureaucrats in Washington, D.C.

This legislation also reconfirms that recycling this nonhazardous material helps keep utility costs low, provides for low-cost, durable construction materials and reduces waste.

I urge my colleagues to support this commonsense legislation.

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

Under the proven model of environmental regulation, Congress sets the standard of protection the State pro-

grams must meet. EPA interprets that standard through rules or guidance so States know what they must do to achieve that level of protection.

States can demonstrate to EPA that they have in place programs adequate to provide the minimum level of protection required, and EPA retains backstop enforcement authority to ensure that State programs are enforced. This bill, Mr. Chairman, fails on each of these points.

Unlike EPA's rule, it does not contain any minimum Federal requirement to protect health and the environment. It undermines the minimum national safeguards in EPA's rule by introducing significant discretion. It fails to establish Federal backstop authority. Finally, it fails to define what facilities the bill covers instead giving States discretion to define the scope of their programs.

So this proposal will not ensure the safe disposal of coal ash, protect groundwater, or prevent dangerous air pollution, and it certainly isn't going to prevent another catastrophic failure like the one we saw in Kingston, Tennessee.

I continue to oppose the legislation, just as the administration does and just as environmental groups and public health groups do. I urge all of my colleagues to do the same.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, before I yield to my colleague from West Virginia, I would just like to mention that, when I mentioned the word "RCRA," that is a municipal solid waste law.

What we are doing is the same thing that we did to RCRA: Federal standards, State implementation by the State EPA. It is the same thing, and all we are doing is codifying that, which means putting these rules and regulations in statute, in law, so it can't be changed.

I yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Mr. Chairman, I thank Chairman SHIMKUS and Congressman MCKINLEY for all of their hard work on this very important issue.

I rise to offer my strong support for this legislation. This bipartisan bill will provide certainty for more than 300,000 workers around our country, including thousands of coal miners in my State of West Virginia and southern West Virginia, in particular.

The recycling of coal ash material helps keep America's energy costs low. It helps to produce construction supplies that industries across our Nation rely on, such as materials for concrete and roofing.

The EPA's final rule did not address a number of issues, including State permitting requirements and oversight.

This bill puts the States in charge. It gives our States the enforcement authority to implement standards for the safe disposal of coal ash.

Our State and local officials know better than Washington bureaucrats

how to address the regulatory requirements of the rule.

I urge passage of this bill.

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

As someone who cares about beneficial reuse and wants to see the beneficial reuse flourish, I am listening to this debate.

And one might think that we are facing a stark choice, either vote for this bill or coal ash recycling will stop, but that is not the choice that we face.

When EPA issued its final coal ash rule, they finalized a nonhazardous regulation, exactly what the coal ash recycling industry sought, and the rule explicitly protects beneficial reuse.

Many Members of Congress sent letters and submitted comments to EPA during the comment period on the proposed rule in support of the subtitle, the option they ultimately chose.

In this bill, on the other hand, the decision between hazardous and non-hazardous would be moved to the State level, meaning that these materials could be regulated as hazardous in some States, but not others.

Now, how will that avoid the stigma so many in the industry have spoken of and how will it create the certainty they crave?

Even worse, this bill would eliminate important protections in EPA's final rule, meaning the number of damage cases is likely to continue to grow, and that will really create a stigma around these materials.

So, if we leave these ash ponds in place and another one fails, what will happen to the beneficial reuse industry?

The way to ensure a strong beneficial reuse industry is to ensure consistent regulation and safe disposal of CCR by allowing the EPA rule to be implemented.

Again, that is why I urge my colleagues to oppose this rule if they really want to see the beneficial reuse industry flourish.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, before I yield to my colleague from North Dakota, let me just respond in that, in the final rule, they didn't close the door to regulating coal ash as toxic.

They can re-regulate. They can promulgate a new regulation and then call it toxic. So then you have the fly ash and the concrete in the school and the school has to get torn down because it has got fly ash in it? It makes no sense.

So that is why we need to codify the science, which the EPA has twice, now three times, said coal ash is not toxic.

I yield 2 minutes to the gentleman from North Dakota (Mr. CRAMER).

□ 1630

Mr. CRAMER. Mr. Chairman, I appreciate the chairman's clarifying the statements just made from the other side. I think we all have the same goal, but the lack of certainty, when you put in rule that for today we are not going to determine it hazardous but we leave

the thing open-ended just in case we change our mind, that is uncertainty. That is what we are talking about.

I come from a State, North Dakota, where, for nearly 10 years, I was a coal regulator. I regulated coal mining, among other things, including utilities, thank you very much. I appreciate the fact that we were able to mine our coal, burn it at the mine mouth, and generate some of the lowest cost electricity in the country largely because we are able to use the coal ash as a beneficial use for lots of things including, by the way, putting in the foundations of wind turbines.

We didn't need the Federal Government. We have been doing this since the 1970s. We didn't need the EPA's overreach to teach us how to do it. The regulation of coal ash disposal has been debated for decades—for decades. Fortunately, for those of us in North Dakota, we have done pretty well with it. We have had modern facilities and modern standards.

Our State regulators at the health department, along with the Public Service Commission, working with industry—and I stress “working with industry”—to develop these standards and practices that have worked for all these decades really don't need further imposition of the Federal Government, and certainly not the EPA.

All of our regulations are tailored specifically to our coal types, specifically to the coal ash, specifically to our geology; and, frankly, this legislative approach may not be perfect, but it is better than the EPA's proposal, Mr. Chairman, which leaves way too many opportunities for extreme environmentalists to meddle, to use the courts to come in place throughout the years and impose much more extreme regulations.

I again thank the chairman for his leadership, and I thank the gentleman for introducing the bill.

Mr. PALLONE. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. TONKO), the ranking member of the subcommittee.

Mr. TONKO. Mr. Chairman, once again, the House is considering a bill to set standards for coal ash disposal. Unfortunately, H.R. 1734 does not contain standards that will prevent the problems from poor disposal practices that have plagued communities across the country for far too long. H.R. 1734, the Improving Coal Combustion Residuals Regulation Act, largely maintains the status quo, a system that is operated by the States with no uniform Federal standards, and the status quo isn't good enough.

In the 35 years since Congress passed the Resource Conservation and Recovery Act, or RCRA, the Environmental Protection Agency has been studying the issue of coal ash disposal. During this same time, the regulation of these facilities has been done by the States, and communities in many States have experienced serious problems related to improper disposal of coal ash.

Spills resulting from coal ash impoundment failures have polluted water supplies, destroyed private and public property, and resulted in lengthy and expensive cleanup efforts. Action on this issue is long overdue.

Last December, the Environmental Protection Agency finalized a rule to strengthen the regulations on the disposal of coal ash. The final rule was published in the Federal Register in April. The rule was in development for many years. It is the result of an extensive public process. The Agency sorted through over 450,000 public-submitted statements during the comment period on this rule and held eight public hearings in communities across the country.

EPA's rule is responsive to industry concerns that officially clarifying coal ash as hazardous waste would harm coal ash recycling efforts that utilize coal ash in new materials and products, and the rule is responsive to the concerns of public health and environmental advocates. For the first time, the rule establishes minimum Federal standards that all coal ash disposal facilities must meet. H.R. 1734 does not do that.

H.R. 1734 enables States to do what some are doing now, that is, to allow continued operation of these facilities without sufficient safeguards. H.R. 1734 isn't about providing flexibility in achieving better standards. H.R. 1734 allows States to weaken a standard if facilities can't meet them.

The standards set by the rule provide a guaranteed floor of protection for all communities. What are these? Well, location restrictions. New or expanded areas of existing coal ash facilities must now be sited with consideration and defined buffers with respect to aquifers, wetlands, seismic impact zones, fault areas, and, indeed, unstable areas.

Liner design criteria are included to prevent leaching. The basic requirements in the rule to include both a geomembrane and a 2-foot layer of compacted soil can be met with an alternative design if the alternative would provide equivalent or better performance.

Structural integrity requirements are defined in the rule to prevent structural failures, such as the one that occurred in Tennessee in the year 2008, a failure that caused tremendous damage when an impoundment failed.

Operating criteria are included in the rule to prevent runoff and wind-blown dust, require periodic inspection and capacity limits, among other things.

The advocates for H.R. 1734 have expressed concerns about the enforcement of EPA's coal ash rule. H.R. 1734 is offered as a remedy to this problem. Well, there is no problem. The rule will be enforced by the States through their own authorities to operate their solid waste management programs. I think that is what H.R. 1734 envisions. The rule will also be enforced through citizen suits; and, by the way, States

sometimes bring these suits against private parties on behalf of their citizens.

Listening to the majority criticize an EPA regulation because of its weak EPA enforcement provisions is, indeed, unusual. It is certainly not a complaint the Agency hears very often. The coal ash rule represents a compromise amongst the stakeholders in this issue. H.R. 1734 simply does not.

It is not surprising there are those who are unhappy with certain provisions of this rule. H.R. 1734 is on the floor today at the urging of some of those stakeholders. Of course, the rule from either vantage point is not perfect.

Given the differing opinions on the role of Federal regulation of coal ash disposal and the nature of the standards that should apply to these facilities, that is not too surprising. But I do believe this legislation—in fact, any legislation—is premature.

Changes in regulation or in law take a long time, and hitting the restart button now will only lead to continued uncertainty and continued risk. We have had far too much of those already. I believe the rule should move forward. H.R. 1734 would prevent that from happening.

We have had 35 years of weak protection. It has cost us a great deal. It is time for a more rigorous and stringent approach that prevents spills, water pollution, air pollution, and exposures to toxic substances. It is time to put people's health and safety first.

EPA's coal ash disposal rule was years in the making. We should not discard the approach taken in EPA's rule before it has even been implemented or evaluated. EPA's rule emerged through an extensive public engagement and negotiation process and as a result of years of work invested by the interested parties and the Agency. The coal ash disposal rule should be implemented and given a fair chance to work. If it does not, we certainly retain the option of moving legislation forward.

H.R. 1734 is unnecessary, and H.R. 1734 offers far weaker protections than those of EPA's final rule. I oppose this bill, and I urge my colleagues to do the same.

Mr. SHIMKUS. Mr. Chairman, may I ask how much time remains for each side?

The CHAIR. The gentleman from Illinois has 12½ minutes remaining. The gentleman from New Jersey has 14 minutes remaining.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. MOONEY).

Mr. MOONEY of West Virginia. Mr. Chairman, our coal industry is suffering in West Virginia because President Obama's regulations are artificially driving down demand for reliable and affordable coal.

With power plants closing and home energy prices rising, our miners are suffering and jobs are being cut due to

this administration's continuous overreach and interference. That is why Representative DAVID MCKINLEY's bill, the Improving Coal Combustion Residuals Regulation Act of 2015 is so important to our communities in West Virginia. I am a proud original cosponsor.

I strongly support this legislation because it allows States to adopt and implement their own coal ash permitting systems as long as they meet basic Federal standards. The States, along with their local communities and hard-working coal miners, know best how to implement coal ash regulations and will ensure that water quality and the environment are protected.

Being able to recycle coal ash means we can turn our spent coal into useful products, like drywall and concrete. This means more mining jobs and a healthier economy for West Virginia and all of America.

I urge my colleagues to join us in voting for H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015.

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

Mr. Chairman, again, a major reason why so many Members on my side of the aisle oppose this bill is because of our concern that coal ash is, in fact, toxic. I just want to focus for a few moments on the reasons this issue is so important to many Members, i.e., the significant health risks posed by the toxic constituents in coal ash.

Coal ash contains arsenic, antimony, barium, beryllium, cadmium, lead, mercury, hexavalent chromium, nickel, selenium, and thallium. Those metals are toxic and pose both acute and chronic threats to human health and the environment. We have heard several claims today that coal ash is not toxic, but the risks posed by these materials, if not properly handled, are real and significant.

EPA finalized the rule for coal ash under subtitle via RCRA, the nonhazardous title, but even in that rule the Agency recognized the serious threats to public health, saying repeatedly that ash can leach toxic metals at levels of concern.

We now know of more than 150 documented damage cases from coal ash pollution. We saw what happened in Kingston, Tennessee. We saw what happened in the Dan River. We saw what happened in Martins Creek, Pennsylvania. The list goes on.

Some may try to dispute the empirical evidence, citing an old laboratory test for leaching that EPA used in 2000, but that test is not the state of the art and has not been for some time. In fact, in 1999, the Science Advisory Board criticized EPA's use of that test for coal ash, suggesting that a new test was necessary. In 2006, the National Academies criticized the leaching test as well, saying that it was not representative of real-world conditions and may greatly underestimate the leaching that occurs. EPA recognized this in their final rule.

I would caution my colleagues against relying too heavily on that outdated test or even on EPA's decision to regulate as nonhazardous. Coal ash is dangerous, and if it ends up in drinking water, groundwater, or air, it is toxic. That is why EPA's rule is so important and why this bill is so dangerous.

I urge my colleagues to vote "no."

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, before I yield to my colleague from Florida, let me respond.

I am just trying to figure out whether the other side believes it is toxic or not toxic and if they trust the EPA or don't trust the EPA, because the EPA has ruled twice—in 1993 and 2000—that it was toxic. Then they roll out the final rule, which the other side is defending, and they say it is not toxic. The other side's debating point is really why we need the bill, because uncertainty is being created with the recyclable and reuse people.

What was just talked about should cause everyone who is in the recyclable and reuse industry to say, "We were right; we need this bill" because the EPA, in 1993 and 2000, and the final rule. That is one part of the reason why we need the bill is to close that loophole because, yes, it is kind of ironic for me to be supporting the EPA, but the EPA has said it is not toxic.

I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Chairman, I rise today to support H.R. 1734, the Improving Coal Combustion Residuals Regulation Act. This commonsense legislation will ensure that coal combustion products are safely regulated by empowering the States to regulate it at fixed standards without overwhelming consumers' wallets. It also gives the EPA the authority to act to protect the public should a State fail to implement its own regulations.

□ 1645

Coal combustion products have become a significant sector of the economy, providing jobs and environmental and safety benefits. The recycling of coal combustion products reduces greenhouse gas emissions, extends the life and durability of the Nation's roads and bridges, and reduces the amount that must be disposed of in landfills or surface impoundments.

If EPA reverses its decision not to regulate coal ash as a hazardous material, as they are considering, the cost to Floridians could be astronomical because Florida law does not permit hazardous waste landfills. Utilities would then be forced to export the ash to neighboring States, the result of which would be higher out-of-pocket energy costs for my constituents. We can't have that.

Overregulating the recycling of coal combustible products will only serve to hurt the environment and increase the costs to consumers. These are things we should be avoiding, not promoting.

This legislation will protect jobs and provide certainty to States, utilities, and businesses that recycle coal combustible products.

I urge my colleagues to support this important piece of legislation.

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

In response to the chairman of the subcommittee, I just want to stress again that I don't think that you should rely on EPA's decision to regulate as nonhazardous, meaning that coal ash is considered nontoxic.

The fact of the matter is that the EPA has never said that it is not a toxic material, and they continue to say that it is dangerous. If it ends up in drinking water, groundwater, or air, it is toxic.

That is why I will take the time now, Mr. Chairman, to read from the SAP, or the Statement of Administration Policy, from the Executive Office of the President. Their main concern in issuing this Statement of Administration Policy is the impact on public health and the environment.

I just would like to read it. It says: "The Administration strongly opposes H.R. 1734, because it would undermine the protection of public health and the environment provided by the Environmental Protection Agency's (EPA's) December 2014 final rule addressing the risks posed by mismanaged impoundments of coal ash and other coal combustion residuals (CCR). The 2008 failure of a coal ash impoundment in Kingston, Tennessee, and the 2014 coal ash spill into the Dan River in Eden, North Carolina, serve as stark reminders of the need for safe disposal and management of coal ash.

"EPA's rule articulates clear and consistent national standards to protect public health and the environment, prevent contamination of drinking water, and minimize the risk of catastrophic failure at coal ash surface impoundments. H.R. 1734 would, however, substantially weaken these protections. For example, the bill would eliminate restrictions on how close coal ash impoundments can be to drinking water sources. It would also undermine EPA's requirement that unlined impoundments must close or be retrofitted with protective liners if they are leaking and contaminating drinking water. Further, the bill would delay requirements in EPA's final CCR rule, including structural integrity and closure requirements, for which tailored extensions are already available through EPA's rule and through approved Solid Waste Management Plans.

"While the Administration supports appropriate State program flexibility, H.R. 1734 would allow States to modify or waive critical protective requirements found in EPA's final CCR rule. Specifically, H.R. 1734 authorizes States to implement permit programs that would not meet a national minimum standard of protection and fails to provide EPA with an opportunity to review and approve State permit pro-

grams prior to implementation, departing from the long-standing precedent of previously enacted Federal environmental statutes.

"Because it would undercut important national programs provided by EPA's 2014 CCR management and disposal rule, the Administration strongly opposes H.R. 1734. If the President were presented with H.R. 1734—as before the House today—"his senior advisers would recommend that he veto the bill."

That is the end of the SAP. The administration's opposition is primarily based on the concerns over public health and the environment that would undermine their rules.

Again, I think it is quite clear that the President, the White House, and the EPA are very concerned that this legislation would make it very possible for coal ash and toxic residue to get into the environment, whether it is through drinking water, air, groundwater, whatever. That is our primary concern, Mr. Chairman.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I have no further speakers, and I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, may I inquire how much time is remaining?

The CHAIR. The gentleman from New Jersey has 7½ minutes remaining.

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

Mr. Chairman, what is coal ash and what risk does it pose? Basically, it is the waste from burning coal and power plants or industrial facilities; and it contains high concentrations of toxic chemicals, as I said, including arsenic, lead, and mercury.

The unsafe disposal of coal ash presents serious risks to human health and the environment. Contaminants can leach into groundwater and drinking water supplies or become airborne as toxic dust. Aging or deficient coal ash impoundments can fail structurally, resulting in catastrophic floods of toxic sludge entering neighboring communities. Examples of these harms are numerous and well documented.

The EPA addressed these risks and published a final rule governing coal ash disposal in the Federal Register in April after decades of work, a robust public process, and consideration of over 450,000 public comments.

The rule sets out minimum national criteria for the disposal of coal ash carefully designed to ensure that no reasonable probability of adverse effects occur on the health or the environment, and the rule explicitly protects beneficial reuse or recycling of coal ash.

The GOP is saying that their bill, H.R. 1734, would merely codify EPA's rule; but that is simply not true. This bill would endanger human health and the environment by eliminating or changing crucial requirements in EPA's rule.

Some examples of protective requirements in the rule that would be elimi-

nated by the bill are liner requirements for existing surface impoundments, closure requirements for deficient structures, location restrictions, groundwater protection standards, cleanup requirements, and transparency.

The bill undermines transparency requirements in EPA's rule, including specific requirements to make information publicly available online; and it introduces new exceptions to publication requirements.

Clearly, this bill would delay important health protections. The EPA rule requires coal ash disposal sites to quickly come into compliance with the rules requirements, with many requirements effective this October.

This bill establishes much longer timeframes for some requirements, with full compliance not required until 6 or 7 years after enactment. Even where the timeframes in the bill are close to those in the rule, they would be counted from the bill's date of enactment, leading to significant delays, compared to the rule.

There is no need for this legislation, Mr. Chairman. In the past, some argued that legislation was needed to prevent EPA from regulating coal ash as hazardous waste and to protect beneficial reuse, but EPA's final rule regulates coal ash as nonhazardous and specifically protects the beneficial reuse.

Some have also suggested that legislation is needed to prevent dual enforcement of State and Federal requirements, but the final rule includes a mechanism for EPA approval of State requirements specifically to address this concern.

Who opposes H.R. 1734? Well, again, the administration—I read the SAP—environment, public health and civil rights groups, Sierra Club, and NAACP; the list goes on. In North Carolina, where a recent spill devastated the Dan River, 25 State legislators have signed a letter of opposition to this legislation.

Again, Mr. Chairman, if you care about human health, if you care about the environment, if you want to make sure that coal ash disposal is not going to contaminate your groundwater, your air, or your drinking water, you should vehemently oppose this legislation.

I urge all of my colleagues to do so, and I yield back the balance of my time.

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

Mr. Chairman, a couple of things—first of all, drinking battery acid is toxic. Batteries are thrown into municipal solid waste landfills. States comply with Federal standards and enforce the protection of their citizens. That is all we are asking here.

I am glad you read the Statement of Administration Policy. I have a letter from ECOS and ASTSWMO. ECOS is the Environmental Council of the States. It represents all 50 States. ASTSWMO represents the Association

of State and Territorial Solid Waste Management Officials.

Every local government official that manages waste in this country and our territories supports this bill. They must think that there is a reason. I have got to believe that these local States are concerned about protecting their citizens. Otherwise, they wouldn't be elected.

California is an ECOS. Washington State is an ECOS. In fact, the next letter we have is from the Western Governors' Association, and it was unanimous to support this bill. Our friend, the Governor of Washington State, used to be on the committee. No one would say he is going to threaten and endanger his citizens.

The States can do this. They have State EPAs. Let's have a certificate program using Federal statutory guidelines so that we know the rules of the road. That is really all we are doing.

H.R. 1734 is the best solution for everyone. It is a solution for the EPA because their protective technical requirements for coal ash will be implemented through enforceable permits, and they will have a far more significant oversight role for coal ash than they would have under the rule.

It is a solution for the States because they will be able to immediately develop permit programs and know exactly what the permit programs must contain.

It is a solution for the regulated community because they will have the benefit of enforceable permits and regulatory oversight to help them interpret and implement the requirements.

It is a solution for the beneficial users because they will have the certainty that coal ash will continue to be regulated as a nonhazardous waste.

Finally, I would like to thank Mr. MCKINLEY for his longstanding leadership on this issue as we continue the process of trying to figure out how to effectively regulate coal ash.

I urge all my colleagues to support this bipartisan solution to effectively and affirmatively regulate coal ash, and I yield back the balance of my time.

Ms. CLARKE of New York. Mr. Chair, today, I rise to discuss my opposition to H.R. 1734, Improving Coal Combustion Residuals Regulation Act of 2015. H.R. 1734 is an attack on the EPA's recently finalized minimum disposal standards for toxic coal ash and a threat to safety, health, and the environment.

Low-income communities bear an unbalanced share of the health risks from disposal of coal combustion waste, as with so many environmental issues. Almost 70 percent of coal ash impoundments are located in communities of color or low income communities.

Coal ash disposal sites directly impact the health, livelihood, and home values for the already poor and vulnerable communities living around these dump sites. More than 200 coal ash sites have already contaminated water in 37 states.

Supporting this act gives a cold shoulder to American families suffering from toxic coal ash-related health issues. It tells those families that Congress does not care about their health and environmental issues.

This bill will delay many of the EPA's coal ash rule's new health and safety protections, weaken the rule's mandate to close inactive ponds by extending the deadline for closure, eliminate the rule's guarantee of public access to information and public participation, and eliminate the rule's ban on storing and dumping coal ash in drinking water. The bill will also remove the national minimum standard for protection and cleanup of coal ash-contaminated sites, remove the rule's national standard for drinking water protection and cleanup of ash-contaminated sites, prohibit effective federal oversight of state programs, and prohibit EPA enforcement of state program requirements unless invited by a state.

This is why I am in support of the Butterfield/Rush/Clarke/Price/Adams Amendment, which attempts to improve this bill by allowing the Administrator of the EPA to prevent the underlying legislation from going into effect if it is determined to have a negative impact on vulnerable populations.

In summary, I oppose H.R. 1734 because it places the health of communities and environment in great danger and fails to guarantee consistent nationwide protection. I urge my colleagues to join me in protecting the American people by opposing this bill.

Mr. GENE GREEN of Texas. Mr. Chair, I rise in support of H.R. 1734, the Improving Coal Combustion Residuals Regulation Act.

The Energy and Commerce Committee has looked at the issue of coal ash for the past several Congresses. I have and continue to advocate for coal ash to be regulated under Subtitle D of the Resource Conservation and Recovery Act (RCRA), which would ensure that the recycling of coal ash continues without disruption.

The beneficial reuse of coal ash is responsible for tens of thousands of jobs around the country—helping our economy and our environment.

I appreciate EPA's decision to regulate coal ash as a non-hazardous waste in its April final rule. However, I do have concerns with the other parts of EPA's new regulations. In particular, the rule is self-implementing, meaning that it does not require permits to be issued and the federal government will have no authority to enforce EPA's standards.

The best way forward is to create a state-based permitting program with minimum federal standards. This legislation does just that, taking many of EPA's requirements and folding them into state permitting programs. The program created by this bill would give states the flexibility to meet their unique conditions and empower state agencies to enforce environmental and safety requirements that will protect communities and the environment.

EPA will be authorized to step-in for states that do not create their own programs.

This chamber passed coal ash legislation with bipartisan support in 2011 and 2013. The legislation before us today is an improvement on those bills and provides stronger protections for human health and the environment.

Mr. Chair, I ask for colleagues on both sides of the aisle to come together and vote in support of this commonsense, bipartisan legislation.

Mr. UPTON. Mr. Chair, I rise today to again voice my strong support for H.R. 1734, the Improving Coal Combustion Residuals Regulation Act. We have been down this road before, and it has been bipartisan every step of the way. Versions of this legislation already passed the House on a number of occasions, and I believe that each Congress our thoughtful solution got better as we work to protect jobs, public health, and the environment. We worked closely with states as well as the administration, and we have a balanced solution before us today.

This legislation incorporates the EPA's final coal ash rule that was announced in December and eliminates the challenges to its implementation. It sets up a state-based regulatory program to ensure the safe management and disposal of coal ash.

States like my home state of Michigan have been, and will always be, better suited to implement rules and regulations because they understand local conditions. Folks who are on the ground are always better able to assess and handle a situation than bureaucrats in Washington.

We have received letters in support of this bipartisan bill from state legislators, governors, and laborers—the list goes on. The Western Governors Association wrote that they “support congressional efforts to address problematic confusion” created by EPA's final coal ash rule. They point out that the rule produces an unintended consequence by creating a dual federal and state regulatory system.

Why? Because EPA lacks authority to delegate the coal ash program to states in lieu of a federal program. Their letter also notes that EPA's rule “does not require facilities to obtain permits, does not require states to adopt and implement new rules, and cannot be enforced by EPA.”

This bill is not about the fracas over burning coal. It's about who's on the Clean-up Committee. It's about who has the expertise and responsibility for protecting a state's natural resources and the health of a state's residents.

And it's not just Western Governors who understand this principle. The Environmental Council of the States, the nonpartisan association of state and territorial environmental agency leaders, has lent their strong voices to this effort, unanimously writing in support of H.R. 1734. This isn't just environmental chiefs from states with coal, or states with governors from the same party. It's all ECOS member states.

We have a thoughtful solution before us today, and I want to recognize the bill's author, Mr. MCKINLEY, and the subcommittee chairman, Mr. SHIMKUS, for their hard work. We have been at this for years and have struck the sweet spot. I urge all Members to vote “yes” on final passage and to vote with the gentlemen from Illinois on any amendments. I yield back.

Mr. CONYERS. Mr. Chair, I rise today in opposition to H.R. 1734, the majority's haphazard effort to delay and weaken regulation of coal combustion residuals—better known as coal ash.

Every year our coal plants consume nearly 800 million tons of coal. That consumption produces nearly 100 million tons of coal ash loaded with mercury, cadmium, arsenic, and heavy metals. These toxic compounds have led even conservative towns like Conway, South Carolina—where President Obama lost by 28 points to Governor Romney in 2014—to vote for coal ash removal.

The Environmental Protection Agency's Coal Combustion Residual (CCR) Rule, issued on December 19, 2014, seeks to remedy the problem that many communities have with coal ash. It prohibits storage in dangerous areas, like along fault lines and too close to the water table. It creates strong liner requirements to prevent leaching of toxic compounds. It requires groundwater testing of areas immediately next to coal ash storage sites. It requires companies to clean up their mess when their coal ash leaches out or spills into waterways. It requires disclosure and public notice of testing results and spillages.

H.R. 1734 would weaken most of these strong standards in favor state-run permitting programs. And those programs that would take years to create and would then require fewer protections for the public.

But the watered down standards are merely the surface problem with H.R. 1734—the fatal flaw is in how H.R. 1734 would delay and undercut any effort to enforce coal ash regulations.

Under current law, private citizens may bring lawsuits to enforce the Resource Conservation and Recovery Act of 1976 (RCRA). Since EPA promulgated the Coal Ash Regulation under RCRA, that means that the same people who care most about coal ash—those whose air and water are threatened—may sue to enforce EPA's Coal Ash provisions. H.R. 1734 changes that, creating a permitting program that could delay suits for more than five years.

Still, the Chairman of one Energy and Commerce Subcommittee describes H.R. 1734 as a win for coal ash accountability, because it “breathes real-life enforcement authority into the standards.”

Nothing could be further from the truth.

North Carolina—ground zero in the fight against coal ash—provides a crystal clear example of the crony capitalist regulation and corrupt enforcement that H.R. 1734 would enshrine in law.

On February 2, 2014, Duke Energy spilled nearly 40,000 tons of coal ash into the Dan River. The spill by itself was a disaster. But it also called attention to a decades-old problem—coal ash leaching in less dramatic ways into North Carolina's waterways.

Newly-aware North Carolinians were furious and demanded action. Raleigh, NC-based Public Policy Polling found that 93% of North Carolinians wanted the state to force Duke Energy to clean up the Dan River; 83% favored forcing Duke Energy to clean up all their coal ash sites.

But that was not what happened. North Carolina met Duke Energy's Dan River spill not with enforcement, but with what looks a lot like “constituent services.” A three-decade Duke Energy employee occupied the North

Carolina governor's mansion. North Carolina's environmental regulator delayed the enforcement proceedings—as they have done with other leaching-based contaminations—to the benefit of Duke Energy. When they finally assessed a fine—they hit Duke Energy with just \$25 million against a company who made \$3 billion that year. But that agreement also had no requirement that Duke Energy clean up their spill—directly contradicting the wishes of 93% of North Carolinians.

H.R. 1734 tells us to trust in state enforcement. But as we have already seen, it is far too easy for corrupt utilities to capture state regulators. H.R. 1734 repeals the EPA rule for one reason—it would work. And unlike coal ash leaching into our drinking waters, that is not something that unscrupulous special interest groups are going to tolerate.

I urge my colleagues to end the farce that H.R. 1734 represents; pull it from the floor like they did with the House Interior and Environment Appropriations; and figure out how they can help our communities instead of poison them.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 1734

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 “Improving Coal Combustion Residuals Regulation Act of 2015”.

(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 in accordance with this section.

“(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 24 months after the date of enactment of this section (except as provided in subparagraph (B) and 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) EXTENSION.—

“(i) REQUIREMENTS.—The Administrator may extend the deadline for submission of a certification for a State under subparagraph (A) for a period of 12 months if the State submits to the Administrator a request for such an extension that—

“(I) describes the efforts of the State to meet such deadline;

“(II) demonstrates that the legislative or rulemaking procedures of such State render the State unable meet such deadline; and

“(III) provides the Administrator with a detailed schedule for completion and submission of the certification.

“(ii) DETERMINATION.—If the Administrator does not approve or deny a request submitted under clause (i) by the date that is 30 days after such submission, the request shall be deemed approved.

“(C) 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—

“(I) a description of the State's—

“(aa) process to inspect or otherwise determine compliance with such permit program;

“(bb) process to enforce the requirements of such permit program;

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

“(dd) statutes, regulations, or policies pertaining to public access to information, including information on groundwater monitoring data, structural stability assessments, emergency action plans, fugitive dust control plans, notifications of closure (including any certification of closure by a qualified professional engineer), and corrective action remedies; and

“(II) identification of any changes to the definitions under section 257.53 of title 40, Code of Federal Regulations, for purposes of the State coal combustion residuals permit program, including a reasonable basis for such changes, as required under subsection (1)(5);

“(iv) a statement 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);

“(v) copies of State statutes and regulations described in clause (iv);

“(vi) a plan for a response by the State to a release at a structure or inactive surface impoundment that has the potential for impact beyond the site on which the structure or inactive surface impoundment is located; and

“(vii) a plan for coordination among States in the event of a release that crosses State lines.

“(D) 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 lead 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) PERMITS.—The implementing agency shall require that owners or operators of structures apply for and obtain permits incorporating the applicable requirements of the coal combustion residuals permit program.

“(B) 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 publicly available for review and comment under the public participation process of the coal combustion residuals permit program;

“(ii) final determinations on permit applications are made publicly available;

“(iii) information on groundwater monitoring data, structural stability assessments, emergency action plans, fugitive dust control plans, notifications of closure (including any certification of closure by a qualified professional engineer), and corrective action remedies required pursuant to paragraph (2), collected in a manner determined appropriate by the implementing agency, is publicly available, including on an Internet website; and

“(iv) information regarding the exercise by the implementing agency of any discretionary authority granted under this section and not provided for in the rule described in subsection (1)(1) is made publicly available.

“(C) AGENCY AUTHORITY.—

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

“(I) obtain information necessary to determine whether the owner or operator of a structure is in compliance with the requirements of the coal combustion residuals permit program;

“(II) conduct or require monitoring or testing to ensure that structures are in compliance with the requirements of the coal combustion residuals permit program; and

“(III) enter any site or premise at which a structure or inactive coal combustion residuals surface impoundment is located for the purpose of inspecting such structure or surface impoundment and reviewing relevant records.

“(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) CRITERIA.—The implementing agency shall apply the following criteria with respect to structures:

“(A) DESIGN REQUIREMENTS.—For new structures, including lateral expansions of existing structures, the criteria regarding design requirements described in sections 257.70 and 257.72 of title 40, Code of Federal Regulations, as applicable.

“(B) GROUNDWATER MONITORING AND CORRECTIVE ACTION.—

“(i) IN GENERAL.—Except as provided in clause (ii), for all structures, the criteria regarding groundwater monitoring and corrective action requirements described in sections 257.90 through 257.98 of title 40, Code of Federal Regulations, including—

“(I) for the purposes of detection monitoring, the constituents described in appendix III to part 257 of title 40, Code of Federal Regulations; and

“(II) for the purposes of assessment monitoring, establishing a groundwater protection standard, and assessment of corrective measures, the constituents described in appendix IV to part 257 of title 40, Code of Federal Regulations.

“(ii) EXCEPTIONS AND ADDITIONAL AUTHORITY.—

“(I) ALTERNATIVE POINT OF COMPLIANCE.—Notwithstanding section 257.91(a)(2) of title 40, Code of Federal Regulations, the implementing agency may establish the relevant point of compliance for the down-gradient monitoring system as provided in section 258.51(a)(2) of title 40, Code of Federal Regulations.

“(II) ALTERNATIVE GROUNDWATER PROTECTION STANDARDS.—Notwithstanding section 257.95(h) of title 40, Code of Federal Regulations, the implementing agency may establish an alternative groundwater protection standard as provided in section 258.55(i) of title 40, Code of Federal Regulations.

“(III) ABILITY TO DETERMINE THAT CORRECTIVE ACTION IS NOT NECESSARY OR TECHNICALLY FEASIBLE.—Notwithstanding section 257.97 of title 40, Code of Federal Regulations, the implementing agency may determine that remediation of a release from a structure is not necessary as provided in section 258.57(e) of title 40, Code of Federal Regulations.

“(IV) AUTHORITY RELATING TO RELEASES, OTHER THAN RELEASES TO GROUNDWATER.—Notwithstanding sections 257.90(d) and 257.96(a) of title 40, Code of Federal Regulations, the implementing agency may, with respect to a release from a structure, other than a release to groundwater, authorize, for purposes of complying with this section, remediation of such release in accordance with other applicable Federal or State requirements if compliance with such requirements will result in the same level of protection as compliance with the criteria described in sections 257.96 through 257.98 of title 40, Code of Federal Regulations, taking into consideration the nature of the release.

“(V) GENERAL AUTHORITY RELATING TO GROUNDWATER MONITORING AND CORRECTIVE ACTION.—Notwithstanding sections 257.90 through 257.98 of title 40, Code of Federal Regulations, the implementing agency may authorize alternative groundwater monitoring and corrective action requirements provided that such requirements are no less stringent than the alternative requirements authorized to be established under subpart E of part 258 of title 40, Code of Federal Regulations.

“(VI) OPPORTUNITY FOR CORRECTIVE ACTION FOR UNLINED SURFACE IMPOUNDMENTS.—Notwithstanding section 257.101(a)(1) of title 40, Code of Federal Regulations, the implementing agency may allow the owner or operator of an existing structure that is an unlined surface impoundment—

“(aa) to continue to operate, pursuant to sections 257.96 through 257.98 of title 40, Code of Federal Regulations, until the date that is 102 months after the date of enactment of this section; and

“(bb) to continue to operate after such date as long as such unlined surface impoundment meets the groundwater protection standard established pursuant to this subparagraph and any other applicable requirement established pursuant to this section.

“(C) CLOSURE.—For all structures, the criteria for closure described in sections 257.101, 257.102, and 257.103 of title 40, Code of Federal Regulations, except—

“(i) the criteria described in section 257.101(a)(1) of title 40, Code of Federal Regulations, shall apply to an existing structure that is an unlined surface impoundment only if—

“(I) the unlined surface impoundment is not allowed to continue operation pursuant to subparagraph (B)(ii)(VI)(aa); or

“(II) in the case of an unlined surface impoundment that is allowed to continue operation pursuant to subparagraph (B)(ii)(VI)(aa), the date described in such subparagraph has passed and the unlined surface impoundment does not meet the requirements described in subparagraph (B)(ii)(VI)(bb);

“(ii) the criteria described in section 257.101(b)(1) of title 40, Code of Federal Regulations, shall not apply to existing structures, except as provided in subparagraphs (E)(i)(II) and (E)(ii); and

“(iii) if an implementing agency has set a deadline under clause (i) or (ii) of subparagraph (L), the criteria described in section 257.101(b)(2) of title 40, Code of Federal Regulations, shall apply to structures that are surface impoundments only after such deadline.

“(D) POST-CLOSURE.—For all structures, the criteria for post-closure care described in section 257.104 of title 40, Code of Federal Regulations.

“(E) LOCATION RESTRICTIONS.—

“(i) IN GENERAL.—The criteria for location restrictions described in—

“(I) for new structures, including lateral expansions of existing structures, sections 257.60 through 257.64 and 257.3u091 of title 40, Code of Federal Regulations; and

“(II) for existing structures, sections 257.64 and 257.3u091 of title 40, Code of Federal Regulations.

“(ii) ADDITIONAL AUTHORITY.—The implementing agency may apply the criteria described in sections 257.60 through 257.63 of title 40, Code of Federal Regulations, to existing structures that are surface impoundments.

“(F) AIR CRITERIA.—For all structures, the criteria for air quality described in section 257.80 of title 40, Code of Federal Regulations.

“(G) FINANCIAL ASSURANCE.—For all structures, the criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations.

“(H) SURFACE WATER.—For all structures, the criteria for surface water described in section 257.3u093 of title 40, Code of Federal Regulations.

“(I) RECORDKEEPING.—For all structures, the criteria for recordkeeping described in section 257.105 of title 40, Code of Federal Regulations.

“(J) RUN-ON AND RUN-OFF CONTROLS.—For all structures that are landfills, sand or gravel pits, or quarries, the criteria for run-on and run-off control described in section 257.81 of title 40, Code of Federal Regulations.

“(K) HYDROLOGIC AND HYDRAULIC CAPACITY REQUIREMENTS.—For all structures that are surface impoundments, the criteria for inflow design flood control systems described in section 257.82 of title 40, Code of Federal Regulations.

“(L) STRUCTURAL INTEGRITY.—For structures that are surface impoundments, the criteria for structural integrity described in sections 257.73 and 257.74 of title 40, Code of Federal Regulations, except that, notwithstanding section 257.73(f)(4) of title 40, Code of Federal Regulations, the implementing agency may provide for—

“(i) up to 30 days for an owner or operator to complete a safety factor assessment when an owner or operator has failed to meet an

applicable periodic assessment deadline provided in section 257.73(f) of title 40, Code of Federal Regulations; and

“(ii) up to 12 months for an owner or operator to meet the safety factor assessment criteria provided in section 257.73(e)(1) of title 40, Code of Federal Regulations, if the implementing agency determines, through the initial safety factor assessment, that the structure does not meet such safety factor assessment criteria and that the structure does not pose an immediate threat of release.

“(M) INSPECTIONS.—For all structures, the criteria described in sections 257.83 and 257.84 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 18 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 24 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 existing structures of—

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

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

“(B) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

“(i) INITIAL DEADLINE FOR CERTAIN REQUIREMENTS.—Not later than 8 months after the date of enactment of this section, the implementing agency shall require owners or operators of existing structures to comply with—

“(I) the requirements under paragraphs (2)(F), (2)(H), (2)(I), and (2)(M); and

“(II) the requirement for a permanent identification marker under the criteria described in paragraph (2)(L).

“(ii) SUBSEQUENT DEADLINE FOR CERTAIN OTHER REQUIREMENTS.—Not later than 12 months after 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 require owners or operators of existing structures to comply with—

“(I) the requirements under paragraphs (2)(B), (2)(G), (2)(J), (2)(K), and (2)(L); and

“(II) the requirement for a written closure plan under the criteria described in paragraph (2)(C).

“(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 66 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 72 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 an existing structure, a final permit incorporating the applicable requirements of the coal combustion residuals permit program, or a final denial of an application submitted requesting such a permit.

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

“(D) INTERIM OPERATION.—

“(i) PRIOR TO DEADLINES.—Unless the implementing agency determines that the structure should close in accordance with the criteria described in paragraph (2)(C), 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 an existing structure may continue to operate such structure until such applicable deadline under any applicable regulations in effect during such period.

“(ii) PRIOR TO PERMIT.—Unless the implementing agency determines that the structure should close in accordance with the criteria described in paragraph (2)(C), if the owner or operator of an existing structure 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 of an application submitted requesting such a permit.

“(4) REQUIREMENTS FOR INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS.—

“(A) NOTICE.—Not later than 2 months after the date of enactment of this section, each owner or operator of an inactive coal combustion residuals surface impoundment shall submit to the Administrator and the State in which such inactive coal combustion residuals surface impoundment is located a notice stating whether such inactive coal combustion residuals surface impoundment will—

“(i) not later than 3 years after the date of enactment of this section, complete closure in accordance with section 257.100 of title 40, Code of Federal Regulations; or

“(ii) comply with the requirements of the coal combustion residuals permit program applicable to existing structures that are surface impoundments (except as provided in subparagraph (D)(ii)).

“(B) EXTENSION.—In the case of an inactive coal combustion residuals surface impoundment for which the owner or operator submits a notice described in subparagraph (A)(i), the implementing agency may extend the closure deadline provided in such subparagraph by a period of not more than 2 years if the owner or operator of such inactive coal combustion residuals surface impoundment—

“(i) demonstrates to the satisfaction of the implementing agency that it is not feasible to complete closure of the inactive coal combustion residuals surface impoundment in accordance with section 257.100 of title 40, Code of Federal Regulations, by the deadline provided in subparagraph (A)(i)—

“(I) because of complications stemming from the climate or weather, such as unusual amounts of precipitation or a significantly shortened construction season;

“(II) because additional time is required to remove the liquid from the inactive coal combustion residuals surface impoundment due to the volume of coal combustion residuals contained in the surface impoundment or the characteristics of the coal combustion residuals in such surface impoundment;

“(III) because the geology and terrain surrounding the inactive coal combustion residuals surface impoundment will affect the amount of material needed to close the inactive coal combustion residuals surface impoundment; or

“(IV) because additional time is required to coordinate with and obtain necessary approvals and permits; and

“(ii) demonstrates to the satisfaction of the implementing agency that the inactive coal combustion residuals surface impoundment does not pose an immediate threat of release.

“(C) FINANCIAL ASSURANCE.—The implementing agency shall require the owner or operator of an inactive surface impoundment that has closed pursuant to this paragraph to perform post-closure care in accordance with the criteria described in section 257.104(b)(1) of title 40, Code of Federal Regulations, and to provide financial assurance for such post-closure care in accordance with the criteria described in section 258.72 of title 40, Code of Federal Regulations.

“(D) TREATMENT AS STRUCTURE.—

“(i) IN GENERAL.—An inactive coal combustion residuals surface impoundment shall be treated as an existing structure that is a surface impoundment for the purposes of this section, including with respect to the requirements of paragraphs (1) and (2), if—

“(I) the owner or operator does not submit a notice in accordance with subparagraph (A); or

“(II) the owner or operator submits a notice described in subparagraph (A)(ii).

“(ii) INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS THAT FAIL TO CLOSE.—An inactive coal combustion residuals surface impoundment for which the owner or operator submits a notice described in subparagraph (A)(i) that does not close by the deadline provided under subparagraph (A)(i) or subparagraph (B), as applicable—

“(I) shall be treated as an existing structure for purposes of this section beginning on the date that is the day after such applicable deadline, including by—

“(aa) being required to comply with the requirements of paragraph (1), as applicable; and

“(bb) being required to comply, beginning on such date, with each requirement of paragraph (2); but

“(II) shall not be required to comply with paragraph (3).

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

“(1) 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 as 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 make the request only 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 paragraph (1).

“(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) CONSIDERATIONS 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)(A);

“(ii) repeated issuance by the State of permits that 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 required under 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 under subsection (b)(2)(C)(iii)(I).

“(e) IMPLEMENTATION BY ADMINISTRATOR.—

“(1) FEDERAL BACKSTOP AUTHORITY.—The Administrator shall implement a coal combustion residuals permit program for a State 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 pursuant to 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 and inactive coal combustion residuals surface impoundments 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 and inactive coal combustion residuals surface impoundments.

“(4) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program 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, structures, and inactive coal combustion residuals surface impoundments 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, structures, and inactive coal combustion residuals surface impoundments 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 and inactive coal combustion residuals surface impoundments 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 under this subsection, the Administrator shall provide a 30-day period for the public participation process required under subsection (c)(1)(B)(i).

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

“(1) 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 the Administrator provides for 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 to the State 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 the Administrator provides for 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 to the State 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.

“(g) IMPLEMENTATION DURING TRANSITION.—

“(1) 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—

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

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

“(2) CHANGE IN REQUIREMENTS.—Paragraph (1) shall apply to such program requirements, actions, and orders until such time as—

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

“(B) with respect to an ongoing corrective action, the State or the Administrator, whichever took the action or issued the order, certifies the completion of the corrective action that is the subject of the action or order.

“(3) SINGLE PERMIT PROGRAM.—Except as otherwise provided in this subsection—

“(A) if a State adopts and implements a coal combustion residuals permit program under subsection (f), the Administrator shall cease to implement the coal combustion residuals permit program implemented under subsection (e) for such State; and

“(B) if the Administrator implements a coal combustion residuals permit program for a State under subsection (e)(1), the State shall cease to implement its coal combustion residuals permit program.

“(h) 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.

“(i) 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), (e), and (g) of this section and section 6005, the Administrator shall,

with respect to the regulation of coal combustion residuals under this Act, 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 implementing agency, the Administrator may provide to such State agency only the enforcement assistance requested.

“(D) CONCURRENT ENFORCEMENT.—Except as provided in subparagraph (C) of this paragraph and subsection (g), 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).

“(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.

“(j) 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 or underground coal mining and reclamation operations.

“(k) USE OF COAL COMBUSTION RESIDUALS.—Use of coal combustion residuals in any of the following ways shall not be considered to be receipt of coal combustion residuals for the purposes of this section:

“(1) Use as—

“(A) engineered structural fill constructed in accordance with—

“(i) ASTM E2277 entitled ‘Standard Guide for Design and Construction of Coal Ash Structural Fills’, including any amendment or revision to that guidance;

“(ii) any other published national standard determined appropriate by the implementing agency; or

“(iii) a State standard or program relating to—

“(I) fill operations for coal combustion residuals; or

“(II) the management of coal combustion residuals for beneficial use; or

“(B) engineered structural fill for—

“(i) a building site or foundation;

“(ii) a base or embankment for a bridge, roadway, runway, or railroad; or

“(iii) a dike, levee, berm, or dam that is not part of a structure.

“(2) Storage in a manner that is consistent with the management of raw materials, if the coal combustion residuals being stored are intended to be used in a product or as a raw material.

“(3) Beneficial use—

“(A) that provides a functional benefit;

“(B) that is a substitute for the use of a virgin material;

“(C) that meets relevant product specifications and regulatory or design standards; and

“(D) if such use involves placement on the land of coal combustion residuals in non-roadway applications, in an amount equal to or greater than the amount described in the definition of beneficial use in section 257.53 of title 40, Code of Federal Regulations, for which the person using the coal combustion residuals demonstrates, and keeps records showing, that such use does not result in environmental releases to groundwater, surface water, soil, or air that—

“(i) are greater than those from a material or product that would be used instead of the coal combustion residuals; or

“(ii) exceed relevant regulatory and health-based benchmarks for human and ecological receptors.

“(1) EFFECT OF RULE.—

“(1) IN GENERAL.—With respect to the final rule entitled ‘Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities’ signed by the Administrator on December 19, 2014—

“(A) such rule shall be implemented only through a coal combustion residuals permit program under this section; and

“(B) to the extent that any provision or requirement of such rule conflicts, or is inconsistent, with a provision or requirement of this section, the provision or requirement of this section shall control.

“(2) REFERENCES TO THE CODE OF FEDERAL REGULATIONS.—For purposes of this section, any reference to a provision of the Code of Federal Regulations added by the rule described in paragraph (1) shall be considered to be a reference to such provision as it is contained in such rule.

“(3) EFFECTIVE DATE.—For purposes of this section, any reference in part 257 of title 40, Code of Federal Regulations, to the effective date contained in section 257.51 of such part shall be considered to be a reference to the date of enactment of this section, except that, in the case of any deadline established by such a reference that is in conflict with a deadline established by this section, the deadline established by this section shall control.

“(4) APPLICABILITY OF OTHER REGULATIONS.—The application of section 257.52 of title 40, Code of Federal Regulations, is not affected by this section.

“(5) DEFINITIONS.—The definitions under section 257.53 of title 40, Code of Federal Regulations, shall apply with respect to any criteria described in subsection (c) the requirements of which are incorporated into a coal combustion residuals permit program under this section, except—

“(A) as provided in paragraph (1); and

“(B) a lead State implementing agency may make changes to such definitions if the lead State implementing agency—

“(i) identifies the changes in the explanation included with the certification submitted under subsection (b)(2)(C)(iii); and

“(ii) provides in such explanation a reasonable basis for the changes.

“(6) OTHER CRITERIA.—The criteria described in sections 257.106 and 257.107 of title 40, Code of Federal Regulations, may be incorporated into a coal combustion residuals permit program at the discretion of the implementing agency.

“(m) DEFINITIONS.—In this section:

“(1) COAL COMBUSTION RESIDUALS.—The term ‘coal combustion residuals’ means the following wastes generated by electric utilities and independent power producers:

“(A) The solid wastes listed in section 3001(b)(3)(A)(i) that are generated primarily from the combustion of coal, 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 that are generated primarily from the combustion of coal.

“(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.

“(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 re-

siduals permit program’ means all of the authorities, activities, and procedures that comprise a system of prior approval and conditions implemented under this section to regulate the management and disposal of coal combustion residuals.

“(3) ELECTRIC UTILITY; INDEPENDENT POWER PRODUCER.—The terms ‘electric utility’ and ‘independent power producer’ include only electric utilities and independent power producers that produce electricity on or after the date of enactment of this section.

“(4) EXISTING STRUCTURE.—The term ‘existing structure’ means a structure the construction of which commenced before the date of enactment of this section.

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

“(6) INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENT.—The term ‘inactive coal combustion residuals surface impoundment’ means a surface impoundment, located at an electric utility or independent power producer, that, as of the date of enactment of this section—

“(A) does not receive coal combustion residuals;

“(B) contains coal combustion residuals; and

“(C) contains liquid.

“(7) STRUCTURE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘structure’ means a landfill, surface impoundment, sand or gravel pit, or quarry that receives coal combustion residuals on or after the date of enactment of this section.

“(B) EXCEPTIONS.—

“(i) MUNICIPAL SOLID WASTE LANDFILLS.—The term ‘structure’ does not include a municipal solid waste landfill.

“(ii) DE MINIMIS RECEIPT.—The term ‘structure’ does not include any landfill or surface impoundment 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 landfill or surface impoundment.

“(8) UNLINED SURFACE IMPOUNDMENT.—The term ‘unlined surface impoundment’ means a surface impoundment that does not have a liner system described in section 257.71 of title 40, Code of Federal Regulations.”

(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 such term is 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. 824a(b)(1)).

The CHAIR. No amendment to the bill shall be in order except those printed in part C of House Report 114–216. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered 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. SHIMKUS

The CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 114–216.

Mr. SHIMKUS. 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 7, line 13, strike “subsection (1)(5)” and insert “subsection (1)(4)”.

Page 45, beginning on line 5, strike “signed by the Administrator on December 19, 2014” and insert “and published in the Federal Register on April 17, 2015 (80 Fed. Reg. 21302)”.

Page 45, strike lines 15 through 20.

Page 45, line 21, through page 47, line 5, redesignate paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

The CHAIR. Pursuant to House Resolution 369, the gentleman from Illinois (Mr. SHIMKUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SHIMKUS. Mr. Chairman, my amendment makes a technical and conforming change to the bill. Let me explain.

The final rule amends part 257 of title 40 of the Code of Federal Regulations. EPA put out a prepublication version on the final rule on December 19, 2014, meaning that it was public, but had not yet been published in the Federal Register.

H.R. 1734 directly incorporates the requirements in the EPA’s final rule, and so there are numerous citations in the bill to the Code of Federal Regulations because, as of the date of our full committee markup, the final rule had not yet been published in the Federal Register and thus did not have a final citation in the Code of Federal Regulations.

It was necessary to include in the bill a reference to the date of prepublication of the final rule and include a paragraph regarding references to the Code of Federal Regulations.

The final rule was published in the Federal Register on April 17, 2015; and as of that date, citations to the final rule were appropriately cited as citations to 40 CFR 257.

My amendment simply removes the paragraph from the bill that was added as a placeholder until a final rule was published in the Federal Register.

I urge all Members to support this amendment. I yield back the balance of my time.

□ 1700

The CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SHIMKUS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PALLONE

The CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 114–216.

Mr. PALLONE. 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:

Strike page 9, line 1, through page 10, line 4, and insert the following:

“(B) PUBLIC AVAILABILITY OF INFORMATION.—The implementing agency shall ensure compliance with sections 257.106 and 257.107 of title 40, Code of Federal Regulations.

Page 47, strike lines 1 through 5.

The CHAIR. Pursuant to House Resolution 369, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume in support of my amendment.

Mr. Chairman, this bill is dangerous for human health and the environment, in part, because it deletes or undermines important protections in EPA’s final coal ash rule. The deleted requirements include location restrictions, like a bar on disposing of coal ash directly in contact with natural aquifers. The undermined requirements include groundwater protection standards and monitoring requirements, which States would be able to change as they see fit. And all of the requirements, including design, maintenance, and operation requirements, would be delayed.

My amendment, however, focuses on just one of these dangerous shortcomings, which I think is very important, and illustrates the fundamental issues with this bill. EPA’s rule establishes a strong national floor for public disclosure of information. The rule specifies what information will be made available to the public and how it must be posted. Utilities will have to maintain pages on their Web sites that document their compliance with a wide range of criteria in the rule, including inspections and groundwater monitoring data.

These requirements will inform and empower communities and hold utilities accountable. Concerned citizens won’t have to navigate an array of State agencies and offices to find out if the coal ash impoundment in their neighborhood is contaminating groundwater. Instead, they will be able to go di-

rectly to the utility Web site and see all monitoring results.

Mr. Chairman, EPA testified before the Energy and Commerce Committee that these transparency requirements will be strong drivers of compliance, just as disclosure requirements have been under other environmental statutes. The Toxics Release Inventory is a great example. But this bill would eliminate these requirements.

Under this bill, there would be no national requirement to maintain a public Web site and to post all of this important data. So my amendment would simply restore these important requirements in EPA’s final rule.

Mr. Chairman, I urge my colleagues to ask why this bill does away with this important compliance tool when its proponents suggest that the bill will improve compliance and enforcement. I think the answer is that this bill is not intended to increase compliance with the important standards EPA developed, but to allow the unsafe disposal of coal ash to continue. But it has already gone on for far too long.

I urge my colleagues to support this amendment to address one of the many shortcomings in the bill. I don’t expect this amendment to pass, but I want to be clear that even if it does, the underlying bill will still be unnecessary and problematic. I will be urging a “no” vote when the question comes on final passage.

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

Mr. SHIMKUS. Mr. Chair, I rise to speak in opposition to the amendment.

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

Mr. SHIMKUS. Mr. Chairman, I share my colleague’s concern for transparency, and I too want to make sure that the public has access to all relevant information. The State certification program would have State public access through the State EPA, and that is in this bill. So there is public access to information.

H.R. 1734 accomplishes the goal by making sure the public has access to information and guaranteeing that the public will be involved with the decisionmaking process because it requires public participation in the permitting process, and it requires States to make available on the Internet such information as: all groundwater monitoring data, information regarding structural stability assessments, emergency action plans and emergency response plans, fugitive dust controls, certifications of closures, corrective action remedies, and all documents associated with the permitting process.

I would like to point out that Mathy Stanislaus, Assistant Administrator for the Office of Solid Waste and Emergency Response at EPA, indicated at our legislative hearing that States making the information available on the Internet was just as good as requiring owners and operators of disposal units putting it on their Web site.

All that said, I understand my colleague’s belief that the public would be

better served by having utilities create individual Web sites where the same information could be posted, and I offered to work with him to improve his amendment so that it would have accomplished his goal of having individual utility Web sites and removing references to confidential business information but would also have continued to ensure that States would make information available.

I regret that we were unable to come to an agreement. I am willing to work with the gentleman on this issue as we move forward, and I regret that I have to urge a “no” vote on his amendment.

I yield back the balance of my time. The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

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

Mr. PALLONE. 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 New Jersey will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. CASTOR OF FLORIDA

The CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 114-216.

Ms. CASTOR of Florida. 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 14, strike lines 3 through 21.

Page 14, line 22, through page 16, line 10, redesignate subclauses (V) and (VI) as subclauses (IV) and (V), respectively.

The CHAIR. Pursuant to House Resolution 369, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, my amendment requires the owners and operators of coal ash ponds to immediately clean up pollution from spills or disasters that involve their coal ash waste. The underlying bill inexplicably did not contain such a requirement.

I know that is hard to believe, in the face of the horrendous coal ash disasters of the past 2 years, that my Republican colleagues did not include such a requirement. So my amendment reinstates the requirement for cleanup of these disasters.

Now, the EPA rule requires an owner or operator of coal ash waste to respond immediately to a spill or release, whether it is through the air, water, or soil. The rule requires the polluter to alert both the local authorities and the public and to immediately prepare a cleanup plan. I mean, that is a fundamental concept of doing business, isn't it? Yet the Republican bill eliminates that requirement for owners and operators.

They would no longer have to be responsible for their pollution or a dis-

aster? That is a scary proposition after the Dan River Duke Energy spill in North Carolina that spilled over 39,000 tons of coal ash and 140,000 tons of toxic wastewater, and after the TVA blowout that they say will cost over a billion dollars to remediate that community.

Now, there are over 600 coal waste disposal impoundments across the Nation, and more than 100 million tons of coal waste are generated each year.

In my home State of Florida, there are over 42 coal ash ponds at 8 power plants, 27 of which are unlined, and 13 landfills, 6 of which are unlined. My local power provider alone has 11 coal ash ponds and one landfill. Over 6.1 million tons of coal ash are generated in Florida each year, yet Florida does not really regulate coal ash ponds, and that is similar to a lot of communities across the country.

But we have learned the hard way that we need to have some basic standards to prevent these type of disasters. The EPA has identified 170 coal ash ponds and landfills that have contaminated groundwater, surface water, or otherwise increased risks of harm to human health over the past years.

These surface impoundments where coal ash is stored in ponds pose a threat, and even a threat to loss of life, if they fail. Coal ash ponds are located in 33 States, and 50 impoundments are currently considered high hazard, meaning that a failure would probably cause loss of human life.

One such impoundment was at the TVA Kingston Fossil Plant, which burst on December 22, 2008, releasing 5.4 million cubic yards of coal ash to the Emory and Clinch Rivers and surrounding areas, creating a Superfund site that could cost about \$1.2 billion, they estimate.

The initial release of material created a wave of water and ash that destroyed three homes, disrupted electrical power, ruptured a natural gas line in the nearby neighborhood, covered railways and roadways, and necessitated the evacuation of a nearby neighborhood. This disaster forever changed the lives of farmers, ranchers, and families. More than 1 billion gallons of waste washed down the valley like a wave, covering more than 300 acres. The volume of ash and water was nearly 100 times greater than the amount of oil spilled in the Exxon Valdez disaster. Thankfully, no serious injuries were reported since this occurred at night while people slept.

And since 2008, we have had three major coal ash disasters, including the largest toxic waste spill in United States history.

In addition to the TVA disaster, the Dan River plant spill in North Carolina was absolutely horrendous. February 2014, a pipe burst beneath an unlined coal ash impoundment, sending over 82,000 tons of coal ash slurry into the Dan River, spreading 70 miles downstream.

The cost of cleaning up spills and leaking dumpsites has already snow-

balled, with six companies reporting liabilities that exceed \$10 billion. And we want to let them off the hook? I don't think so.

We have got to correct this by adopting my amendment. Without Federal action to guide cleanup within a reasonable time, we are going to let folks off the hook, and that would not be fair. The chronic risks are significant. The risks to public and private property are significant. The risks to public health are too significant to ignore.

So Mr. Chairman, I urge my colleagues to adopt the Castor amendment. Vote “yes” to restore the rule's requirement to clean up releases of pollution caused by these coal ash impoundment ponds.

I reserve the balance of my time.

The CHAIR. The time of the gentleman has expired.

Mr. SHIMKUS. Mr. Chairman, I rise in opposition, although I do not oppose the amendment.

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

There was no objection.

Mr. SHIMKUS. Mr. Chairman, first of all, I appreciate my colleague bringing up this amendment. I just wish she, as a member of the committee, I wish we would have seen this in the markup of the full committee and the committee because maybe we could have just inserted it into the bill instead of having it as an amendment on the floor. I understand the gentlewoman's passion. I just wish, through regular order, we probably could have disposed of this in the committee process.

Having said that, the gentlewoman's amendment takes steps to more closely conform the bill to the EPA rule with respect to cleanup requirements, which is the entire intent of this bill. The intent of the bill is to codify the EPA rule, and so the gentlewoman's amendment helps us do that, and I appreciate that.

I agree with the gentlewoman that it approves a protectiveness of State permit programs. Again, the key thing about H.R. 1734, it creates State permit programs so that the States have Federal standards and they have an enforceable permit program which they can enforce, just like we do on solid waste.

I have no objection to the amendment. It is going to improve the bill, and I accept it on our side.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 114-216.

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 27, line 19, strike "FINANCIAL ASSURANCE" and insert "POST-CLOSURE CARE AND FINANCIAL ASSURANCE".

Page 27, line 24, strike "section 257.104(b)(1)" and insert "subsections (b) and (c) of section 257.104".

The CHAIR. Pursuant to House Resolution 369, 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 want to begin by thanking the majority for including my amendment offered to the coal ash bill considered in a previous Congress requiring States to have a strong and comprehensive emergency response plan in the unfortunate event of a spill or a leak.

As I said then, and believe even more now, we simply cannot count on a private company to be prepared for a spill. The State and local governments, who will be the first responders, must also be active partners. By requiring States to be prepared with their own emergency response plans, I think we are taking a modest step to ensure they are prepared to protect the communities.

Again, I acknowledge that and thank my colleagues.

□ 1715

It is in that same spirit of bipartisan, commonsense, and modest safeguards that I offer this amendment that would simply require that all inactive surface impoundments that begin closure procedures to put in place the same groundwater monitoring safeguards procedures required in the final Federal rule.

When we debated similar legislation in July of 2013, I spoke of the devastating 2008 failure of the coal ash impoundment in Kingston, Tennessee.

As a result of that breach, more than 5 million cubic yards of coal ash were released, covering more than 300 acres in toxic sludge, damaging and destroying homes and property, resulting in more than \$1.2 billion in cleanup costs.

We must not forget the lasting health consequences as well, some of which are still unknown, resulting from that incident. Some residents will suffer from respiratory illnesses and other side effects.

Arsenic levels, where the Kingston coal ash runoff was disposed of, were measured at 80 times higher than the amount allowed under the Safe Drinking Water Act, and the EPA already has said such exposure significantly increases the risk of cancer over time.

What is even more troubling is these incidents continue to occur, most recently in my own home State of Virginia, where a neighboring North Carolina coal ash pond spilled more than 39,000 tons of toxic ash and 24 million gallons of wastewater into the Dan River.

Though much of the public and media attention of this spill was focused on North Carolina's regulatory shortcomings, Virginians were also left ex-

posed to the dangers of that coal ash spill. It is estimated that only 2,500 tons of ash were removed, leaving over 90 percent of the coal ash in Virginia waters.

As a result of this incident, Virginia's Department of Environmental Quality has proposed a \$2.5 million settlement against Duke Energy Carolinas, probably only a fraction of the ultimate cost of cleanup.

What has happened to communities in North Carolina, Tennessee, and Virginia can happen to any one of our communities that have or are near coal ash impoundment ponds.

Today across the Commonwealth of Virginia, there are more than 30 active and inactive ponds at 11 different sites, including one in my district, with an average of 47 years.

As more of these facilities transition from coal-fired plants to gas-fired and biomass and as we close down these surface impoundments, we need to make sure we are protecting our communities with proper postclosure procedures.

One of the easiest protections our constituents can expect is that we maintain rigorous groundwater monitoring as these legacy ponds and inactive surface impoundments move toward postclosure status.

However, I worry that, as this bill is written and, admittedly, as the EPA rule was finalized, regrettably, an unfortunate carve-out was made that threatens our communities.

Why is it that a site that closes under the rule's guidelines must monitor groundwater for 30 years, but one that is rushed to meet the 3-year deadline only has to monitor for a fraction of that same time? What could go wrong with that?

Buried on pages 125 and 126 of the April 17, 2015, Federal Register, EPA notes that it "received few public comments on the proposed activities to conduct during the post-closure care. These commenters were supportive of the activities and specifically urged the rule to require the monitoring of groundwater throughout the post-closure care period. The Agency received no comments opposing the proposed postclosure care activities."

I will remind my friends that more than 450,000 comments were provided on this rule.

It isn't often we can all agree on something. But I think we can agree our neighbors have the right to expect that the water they are drinking is safe.

So here is our opportunity to come together and support strong groundwater monitoring requirements at impoundment sites that keep all of our communities safe, and I urge my colleagues to support this amendment.

I yield back the balance of my time. Mr. MCKINLEY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

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

Mr. MCKINLEY. Mr. Chairman, when we analyzed all of the proposed amendments to H.R. 1734 earlier this week, we were eager to accept those amendments that might improve the legislation and make the State permitting process even stronger so we can ensure that the coal ash impoundments are closed in a safe and efficient manner. Unfortunately, this amendment would have the opposite effect.

This amendment would require that all inactive impoundments or legacy sites, as they are known, comply with the requirements in the final rule to conduct postclosure care, which includes the installation of groundwater monitoring.

While I appreciate and share my colleague's concerns about inactive surface impoundments, this amendment would not achieve what I believe is my colleague's goal of ensuring the timely closure of inactive surface impoundments.

In the final rule, the EPA recognized the need for efficient and timely closure of the inactive impoundments. In fact, the EPA incentivized the closure of legacy sites by ensuring that the utilities that are able to safely close inactive impoundments within the 3-year deadline would not need to comply with any of the other requirements in the final rule, including groundwater monitoring.

This amendment would wipe out the EPA's incentive for utilities to complete closure of inactive surface impoundments in a timely manner by requiring that utilities comply with certain requirements immediately.

In addition, I think there is a broad agreement that the EPA final rule is protective with respect to taking steps to address inactive surface impoundments.

The gentleman's amendment goes farther than even what EPA determined would be protective to address the legacy site by requiring immediate compliance with certain requirements which, as I indicated, would remove the incentive for EPA to close inactive impoundments by the deadline.

Many of the inactive surface impoundments will be clean-closed. To explain that, that means that all of the coal ash will be removed from the impoundment. There is no need for 30 years of postclosure care for these particular impoundments.

So for all these reasons, Mr. Chairman, I urge my colleagues to vote "no" on this amendment.

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

Mr. CONNOLLY. 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 Virginia will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. ADAMS

The CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 114-216.

Ms. ADAMS. 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 29, after line 16, insert the following:
“(5) DRINKING WATER SUPPLY WELL SURVEY AND PROVISION OF ALTERNATE WATER SUPPLY.—

“(A) SURVEY.—Not later than 7 months after the date of enactment of this section, each owner or operator of a surface impoundment shall conduct a survey that identifies all drinking water supply wells within one-half mile down-gradient from the established waste boundary of the surface impoundment and shall submit the survey to—

“(i) the Administrator; and

“(ii) the implementing State, if applicable.

“(B) INCLUSIONS.—Each survey conducted pursuant to subparagraph (A) shall include well locations, the nature of water uses, available well construction details, and information regarding ownership of the wells.

“(C) DETERMINATION OF SAMPLING.—

“(i) IN GENERAL.—Not later than 4 months after an owner or operator submits a survey under subparagraph (A), the Administrator or the implementing State, as applicable, shall determine which wells identified in the survey the owner or operator will be required to conduct sampling and water quality analysis for, and how frequently and for what period sampling is required.

“(ii) REQUIRED SAMPLING.—The Administrator or the implementing State, as applicable, shall require sampling and water quality analysis described in clause (i) where data regarding groundwater quality and flow and depth in the area of the surveyed well provide a reasonable basis to predict that the quality of water from the surveyed well may be adversely impacted by coal combustion residuals.

“(D) SAMPLING.—

“(i) INITIATION.—Not later than 5 months after an owner or operator submits a survey under subparagraph (A), the owner or operator shall initiate any sampling and water quality analysis required pursuant to subparagraph (C) for constituents associated with coal combustion residuals, including, at a minimum, arsenic, lead, hexavalent chromium, vanadium, boron, thallium, molybdenum, and selenium.

“(ii) INDEPENDENT SAMPLING.—A property owner whose well has been selected for sampling and analysis may elect to have an independent third party selected from a laboratory certified by the Administrator or the implementing State, as applicable, conduct the sampling and analysis required under this paragraph in lieu of such sampling and analysis being conducted by the owner or operator of the surface impoundment.

“(iii) COSTS.—The owner or operator of the surface impoundment shall pay for the reasonable costs of any sampling and analysis conducted pursuant to this paragraph.

“(iv) RIGHT TO REFUSE SAMPLING.—Nothing in this paragraph shall be construed to preclude or impair the right of any property owner whose well has been selected for sampling and analysis to refuse such sampling and analysis.

“(E) ALTERNATE SUPPLIES OF DRINKING WATER.—If sampling and water quality analysis conducted pursuant to this paragraph indicates that water from a drinking water supply well exceeds groundwater quality standards for constituents associated with

the presence of coal combustion residuals, the owner or operator of the surface impoundment, in addition to any other applicable requirement, shall replace such water—

“(i) with an alternate supply of potable drinking water, as appropriate, not later than 24 hours after the Administrator or the implementing State, as applicable, determines that there is such an exceedance; and

“(ii) with an alternate supply of water that is safe for other household uses, as appropriate, not later than 30 days after the Administrator or the implementing State, as applicable, determines that there is such an exceedance.

“(F) ANNUAL GROUNDWATER PROTECTION AND RESTORATION REPORT.—

“(i) IN GENERAL.—Not later than one year after the date of enactment of this section, and each year thereafter, each owner or operator of a surface impoundment required to conduct sampling and water quality analysis pursuant to this paragraph shall submit a report to the Administrator or the implementing State, as applicable, that includes a summary of all groundwater monitoring, protection, and restoration activities related to the surface impoundment for the preceding year, including any replacement of contaminated drinking water pursuant to this paragraph.

“(ii) PUBLICLY ACCESSIBLE INTERNET WEBSITE REQUIREMENT.—Not later than 30 days after submitting a report under clause (i), an owner or operator shall post the report on a publicly accessible Internet website established by the owner or operator in accordance with section 257.107 of title 40, Code of Federal Regulations.

“(G) RELATIONSHIP TO OTHER GROUNDWATER MONITORING REQUIREMENTS.—To the extent that any requirement of this paragraph conflicts with a provision of paragraph (2)(B), the requirement of this paragraph shall control.

Page 49, after line 7, insert the following:

“(6) IMPLEMENTING STATE.—The term ‘implementing State’ means—

“(A) a State that has notified the Administrator under subsection (b)(1) that it will adopt and implement a coal combustion residuals permit program; or

“(B) if a lead State implementing agency has been identified under subsection (b)(2)(C)(i) for such a State, such implementing agency.

Page 49, line 8, through page 50, line 17, redesignate paragraphs (6) through (8) as paragraphs (7) through (9), respectively.

The CHAIR. Pursuant to House Resolution 369, the gentlewoman from North Carolina (Ms. ADAMS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. ADAMS. Mr. Chairman, my amendment provides strong and consistent safeguards to inform communities about coal ash contaminants in their drinking water supply wells.

We have heard a lot of talk about regulatory certainty, certainty for utilities, certainty for coal ash recyclers.

But what about certainty for children and families who live near coal ash sites, certainty of transparency for their parents who rely on well water to prepare their children’s meals and to bathe them at night?

These parents have the right to know if their water is safe to consume, and they have a right to access that information immediately.

And what about certainty of accountability to ensure that these families can expect an alternate water supply if it has been compromised by coal ash pollution?

North Carolina can give the Nation a lesson about what poor management of coal ash looks like. It took a disastrous spill of coal ash into the Dan River to make it clear that the protection of our communities and waterways could not rely on the goodwill of powerful utilities.

North Carolina learned the hard way that, when State regulators stick their heads in the sand to allow the unfettered disposal of coal ash, spills happen.

I would like to share with my colleagues the most recent update on well testing from North Carolina’s Department of Environment and Natural Resources.

Out of 285 wells tested, 265 show contamination. That is more than 90 percent of the drinking water wells showing contamination.

This information is made possible to communities because of S. 729, a bill that the North Carolina General Assembly passed last year while I served in the legislature.

Following the Dan River spill, North Carolina now requires owners and operators of coal ash dams to identify all drinking water supply wells within one-half mile downgradient from the impoundments.

If sampling indicates high levels of contamination, the owner or operator must replace the contaminated drinking water with an alternate supply of water that is safe.

My amendment seeks to provide rural communities across the Nation with the same requirements that citizens in North Carolina now enjoy, requirements that will give them the certainty that their water is safe.

Americans in North Carolina and across the Nation have the right to access safe drinking water, especially rural communities who rely overwhelmingly on private wells as their main source of drinking water.

Finally, coal ash pollution often affects low-income communities who don’t have the resources to go up against big utilities. Passing this amendment will give these communities the resources they deserve to protect themselves.

I urge my colleagues to join me in standing with the people of North Carolina and rural communities across the Nation who deserve transparency and nothing less.

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

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

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

Mr. SHIMKUS. Mr. Chairman, we applaud the activity of the State of North Carolina—and that is the whole benefit of H.R. 1734—because the Federal regulation proposed by EPA is a floor.

And through a State certification program, if the States want to ramp that up to a higher level, they can. So what North Carolina has done is able to be done under the current legislation.

But the amendment offered by the gentlewoman from North Carolina has a lot of problems, and that is why I rise in opposition.

It would require each owner of a surface impoundment to provide EPA or a State certain types of data about all drinking water supply wells, to pay for and perform groundwater sampling at these wells, provide alternate sources of water, and issue regular reports on these activities.

I understand the gentlewoman's concern, but I am not sure she gets there with this amendment.

She talks about providing certainty. Well, there is already certainty to do this under Federal law. Under the Superfund law, which we call CERCLA, EPA already has the authority to obtain information, access property, and inspect and sample wells if there is a "reasonable basis to believe there may be a release or a threat of release." So there is already certainty under that law.

Not only does CERCLA already cover what the gentlewoman is proposing, but the Safe Drinking Water Act provides the same authority.

The amendment would require owners or operators of coal ash disposal units to provide an alternative source of drinking water if wells are found to exceed existing Safe Drinking Water Act standards.

But section 1431 of the Safe Drinking Water Act already allows EPA to require that alternative sources of drinking water be provided if EPA has information that a contaminant "is likely to enter a public water system or an underground source of drinking water."

So we already have that in Federal statute, especially if it "may present an imminent and substantial endangerment to the health of persons."

Beyond the duplication existing in the law that we already have, there are also concerns with the amendment.

The amendment focuses on drinking water wells that are one-half mile down-gradient from a surface impoundment. This seems an arbitrary determination, that for all States and for all impoundments, that that is where the groundwater is.

And that is definitely not true around the country. Can we be sure that this is the correct distance? Why was that number selected?

The amendment would require the owners or operators to provide an alternative source of drinking water within 24 hours.

While we completely understand the need to move quickly to provide a solution, it may not be feasible to secure an alternate source of drinking water within that short a period of time.

Perhaps of greater concern, the amendment includes key terms like "drinking water supply well" that are undefined, and the amendment would trump all other groundwater monitoring requirements required by the EPA final rule and State permit programs.

We are not trying to re-create existing authority. Rather, we are focused on getting the folks with the most experience and knowledge of this issue to address coal ash disposal units and ensure that they are not causing contamination.

But I assure you that H.R. 1734 already mandates that, if disposal units are causing problems, States will utilize all available authorities to ensure that their citizens have safe drinking water.

I urge my colleagues to vote "no" on this amendment.

I yield back the balance of my time.

□ 1730

Ms. ADAMS. Mr. Chairman, I yield the balance of my time to the gentlewoman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I support this amendment which would improve protection for human health and the environment nationwide, and I would like to thank my colleague from North Carolina for her hard work on this important issue and for offering this amendment.

The citizens and government of North Carolina recognize the seriousness of the risks posed by coal ash. They have experienced the devastation coal ash can cause, and that is why even Republicans in the State government have supported strengthening regulation of coal ash.

Representative ADAMS speaks from personal experience that many of us have been spared, but we should not wait for more coal ash disasters to adopt strong, preventive measures.

Mr. Chairman, I urge my colleagues to support the amendment and vote "yes," but I do want to caution that, like my colleague, I will urge a "no" vote on final passage even if this amendment passes.

Ms. ADAMS. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. ADAMS).

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

Ms. ADAMS. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 6 OFFERED BY MR. BUTTERFIELD

The CHAIR. It is now in order to consider amendment No. 6 printed in part C of House Report 114-216.

Mr. BUTTERFIELD. 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 47, after line 5, insert the following:
 "(m) EFFECT ON VULNERABLE POPULATIONS.—If the Administrator determines that implementation of this section would diminish protections for vulnerable populations, the requirements of this section shall have no force or effect.

Page 47, line 6, redesignate subsection (m) as subsection (n).

Page 50, line 17, strike the closed quotation mark and the final period.

Page 50, after line 17, insert the following:
 "(9) VULNERABLE POPULATION.—The term 'vulnerable population' means a population that is subject to a disproportionate exposure to, or potential for a disproportionate adverse effect from exposure to, coal combustion residuals, including—

"(A) infants, children, and adolescents;

"(B) pregnant women (including effects on fetal development);

"(C) the elderly;

"(D) individuals with preexisting medical conditions;

"(E) individuals who work at coal combustion residuals treatment or disposal facilities; and

"(F) members of any other appropriate population identified by the Administrator based on consideration of—

"(i) socioeconomic status;

"(ii) racial or ethnic background; or

"(iii) other similar factors identified by the Administrator."

The CHAIR. Pursuant to House Resolution 369, the gentleman from North Carolina (Mr. BUTTERFIELD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

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

Mr. Chairman, I rise in support of my amendment that will ensure that vulnerable communities are protected from the unsafe storage of coal combustion residuals known as coal ash.

My amendment is simple. It would prevent the coal ash regulation framework in this bill from going into effect if States fail to protect vulnerable populations from the adverse effects of haphazard coal ash storage. Vulnerable populations defined in the amendment include infants, children, adolescents, pregnant women, the elderly, racial or ethnic groups, and others identified by the EPA Administrator.

Mr. Chairman, the EPA estimates that 70 percent of coal ash impoundments are located in low-income communities. Coal ash impoundments lacking proper safeguards can fail, resulting in the leaching of harmful chemicals into surface and groundwater. Coal ash stored in pools have caused water contamination in 37 States.

In worst case scenarios, catastrophic failures cause coal ash slurry to flow directly into rivers, streams, ponds, and lakes. The largest coal ash spill in U.S. history occurred in 2008 in Kingston, Tennessee, when 5.4 million cubic

yards of toxic sludge spilled into a nearby river, causing a Superfund site which could cost \$1.2 billion in remediation costs.

In February of 2014, 82,000 tons of coal ash spilled into the Dan River in Eden, North Carolina, near the district of Ms. ADAMS, who just spoke a moment ago, after a pipe burst, causing a coal ash impoundment failure. Costs for that cleanup are \$300 million in the short term and could potentially have a much greater long-term impact.

Mr. Chairman, the majority of coal ash ponds are located in close proximity to vulnerable communities. It is important to protect those communities from being disproportionately affected by poor coal ash storage.

This commonsense amendment ensures that—if this bill were to go into effect—vulnerable populations are protected from the potentially adverse effects of coal ash exposure. Mr. Chairman, I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I reluctantly rise in opposition to the amendment.

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

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

Mr. Chairman, we first learned about this amendment before us late on Monday. Of course, I was struck by the gentleman's deep concern for vulnerable populations, people who, because of circumstances or physical attributes, are more at risk than others when it comes to certain environmental exposures.

The gentleman knows well that I share his concern. He knows it from our committee work earlier this year on the TSCA Modernization Act. We reached a unanimous committee position in this area, in fact, throughout the bill.

I reached out to him early Tuesday morning and tried to explain the gentleman's amendment was problematic as drafted; and we offered to work with him on a version that addressed his concern without, frankly, gutting the rest of our bill.

Despite hard work from both teams and staff all day Tuesday, we were not able to reach the agreement, so the gentleman opted to revert to his original proposal which is what we are considering now.

Mr. Chairman, I see three basic problems with the amendments as being offered.

First, it gives the EPA Administrator effective unilateral veto power over the entire coal ash bill upon any EPA finding that somewhere, somehow, a vulnerable subpopulation is not protected. This, of course, undoes the entire premise of the bill that brings together the best of the EPA-proposed rule and the states' expertise and dedication in regulating solid waste through permit programs.

Second, the gentleman defines "vulnerable subpopulation" by listing

around 10 specific population groups for protection. Everyone on his list, I agree with, including, for example, infants, elderly, and persons based on racial or ethnic backgrounds; but when we include some on a list, we can wind up excluding others.

It is a basic principle of legislative drafting. I think we should be sure to include all vulnerable groups, and we suggested to the gentleman language to do just that. I regret that we were not able to reach an agreement.

Third, Mr. Chairman, I am not sure the gentleman's amendment passes constitutional scrutiny. I understand that we, in the Congress, have sweeping power to waive requirements of law; but I don't think we can give a single Administrator power to cancel a law altogether. In my view, only the President himself has that power, subject to override votes in the Congress.

I am willing to work this out with the gentleman, and we did try. I regret very much that this amendment does not reflect these efforts, so I have to urge a "no" vote.

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

Mr. BUTTERFIELD. It is true that we did make a valiant effort yesterday to try to reach some common ground on this amendment, and regrettably, we were not able to get there.

Mr. Chairman, I thank the gentleman for his courtesy and his willingness to have the conversation, and hopefully, we can continue to try to legislate in a way that will protect vulnerable communities from this type of activity.

Mr. Chairman, at this time, I yield such time as he may consume to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Chairman, I rise to support this amendment. It raises an important point that should be part of our dialogue on all environmental issues, and I thank my colleague for offering it.

The unsafe disposal of coal ash poses serious risk to human health and the environment. Those dangers are particularly acute for the minority and low-income communities that often live near coal ash disposal sites.

Unfortunately, this dangerous bill would diminish protections for those communities most at risk. Important safeguards would be eliminated, and significant discretion would be given to States to choose whether or not other safeguards will apply.

This discretion will hurt hotspot communities for the same reason that they host these dangerous communities; it is because they do not have the political clout and voice that other communities have. We must recognize the disproportionate risks faced by vulnerable populations and ensure that those risks are addressed, and that is what this amendment does.

While I don't support the bill overall, Mr. Chairman, I do urge my colleagues to support this amendment and vote "yes."

Mr. BUTTERFIELD. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chair, I rise in support of the Butterfield-Rush-Clarke-Price-Adams amendment.

The December 2014 coal ash rule was a reasonable compromise between the EPA and the energy industry, based on sound science and three decades of research into the significant human and environmental health consequences of ash spills. I will oppose the underlying legislation because, as my colleagues have noted, it would unjustifiably eliminate, undermine, or delay the well-thought out protections included in this compromise rule.

Our amendment gets at another issue. There is a great risk that this legislation could be especially harmful to some of our nation's most vulnerable populations—and here I mean pregnant women, children, the elderly, low-income Americans—because nearly 70% of coal ash ponds are located in communities where the majority earns an income that falls below the national average, and where communities of color are disproportionately represented.

Our amendment is very simple—it would require the Administrator of the EPA to determine whether this legislation unfairly affects these vulnerable populations. If it does, its provisions would not go into effect.

Misguided deregulation is one thing; outright discrimination is another. Let's make sure that we're not prioritizing the energy industry's bottom line over the health and welfare of women, children, the elderly, and low-income Americans.

I urge my colleagues to support the amendment.

The CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. BUTTERFIELD).

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

Mr. BUTTERFIELD. 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 North Carolina will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part C of House Report 114-216 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. PALLONE of New Jersey.

Amendment No. 4 by Mr. CONNOLLY of Virginia.

Amendment No. 5 by Ms. ADAMS of North Carolina.

Amendment No. 6 by Mr. BUTTERFIELD of North Carolina.

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. PALLONE

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

Collins (NY) Johnson, Sam
 Comstock Jolly
 Conaway Jones
 Cook Jordan
 Costa Joyce
 Costello (PA) Katko
 Cramer Kelly (MS)
 Crawford Kelly (PA)
 Crenshaw King (IA)
 Cuellar King (NY)
 Culberson Kinzinger (IL)
 Curbelo (FL) Kline
 Davis, Rodney Knight
 Denham Labrador
 Dent LaMalfa
 DeSantis Lamborn
 DesJarlais Lance
 Dold Latta
 Donovan LoBiondo
 Duffy Long
 Duncan (SC) Loudermilk
 Duncan (TN) Love
 Ellmers (NC) Lucas
 Emmer (MN) Luetkemeyer
 Farenthold Lummis
 Fincher MacArthur
 Fitzpatrick Marchant
 Fleischmann Marino
 Fleming Massie
 Flores McCauly
 Forbes McCaul
 Fortenberry McClintock
 Foxx McHenry
 Frelinghuysen McKinley
 Garrett McMorris
 Gibbs Rodgers
 Gibson McSally
 Gohmert Meadows
 Goodlatte Meehan
 Gosar Messer
 Gowdy Mica
 Granger Miller (FL)
 Graves (GA) Miller (MI)
 Graves (LA) Moolenaar
 Griffith Mooney (WV)
 Grothman Mullin
 Guinta Mulvaney
 Guthrie Murphy (PA)
 Hanna Neugebauer
 Hardy Newhouse
 Harper Noem
 Harris Nugent
 Hartzler Nunes
 Heck (NV) Olson
 Hensarling Palazzo
 Herrera Beutler Palmer
 Hice, Jody B. Paulsen
 Hill Pearce
 Holding Perry
 Hudson Peterson
 Huelskamp Pittenger
 Huizenga (MI) Pitts
 Hultgren Poe (TX)
 Hunter Poliquin
 Hurd (TX) Pompeo
 Hurt (VA) Posey
 Issa Price, Tom
 Jenkins (KS) Ratcliffe
 Jenkins (WV) Reed
 Johnson (OH) Reichert

NOT VOTING—11

Bass Diaz-Balart McDermott
 Brady (PA) Franks (AZ) Rangel
 Carter (TX) Graves (MO) Richmond
 Clawson (FL) Gutiérrez

ANNOUNCEMENT BY THE CHAIR

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

□ 1815

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

AMENDMENT NO. 5 OFFERED BY MS. ADAMS

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Ms. ADAMS) 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 192, noes 231, not voting 10, as follows:

[Roll No. 455]

AYES—192

Adams Fudge
 Aguilar Gabbard
 Ashford Gallego
 Beatty Garamendi
 Becerra Gibson
 Bera Graham
 Beyer Grayson
 Bishop (GA) Green, Al
 Blumenauer Green, Gene
 Bonamici Grijalva
 Boyle, Brendan Hahn
 F. Hastings
 Brown (FL) Heck (WA)
 Brownlee (CA) Herrera Beutler
 Bustos Higgins
 Butterfield Himes
 Capps Hinojosa
 Capuano Honda
 Cardenas Hoyer
 Carney Huffman
 Carson (IN) Israel
 Cartwright Jackson Lee
 Castor (FL) Jeffries
 Castro (TX) Johnson (GA)
 Chu, Judy Johnson, E. B.
 Cicilline Jones
 Keating Clarke (MA)
 Kelly (IL) Clarke (NY)
 Kennedy Clay
 Cleaver Valadao
 Clyburn Wagner
 Cohen Kilmer
 Connolly Kind
 Conyers Kirkpatrick
 Cooper Kuster
 Costello (PA) Langevin
 Courtney Larsen (WA)
 Lawrence Larson (CT)
 Lee Lawrence
 Levin Cummings
 Lewis Curbelo (FL)
 Lieu, Ted Davis (CA)
 Lipinski Davis, Danny
 LoBiondo DeFazio
 Loeb sack DeGette
 Lofgren Delaney
 Lowenthal DeLauro
 Lowey DelBene
 Dent
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Dold
 Doyle, Michael F.
 Duckworth
 Edwards
 Ellison
 Engel
 Eshoo
 Esty
 Farr
 Fattah
 Fitzpatrick
 Foster
 Frankel (FL)

NOES—231

Abraham Blackburn
 Aderholt Blum
 Allen Bost
 Amash Boustany
 Amodei Brady (TX)
 Babin Brat
 Barletta Bridenstine
 Barr Brooks (AL)
 Barton Brooks (IN)
 Benishek Buchanan
 Bilirakis Buck
 Bishop (MI) Bucshon
 Bishop (UT) Burgess
 Black Byrne

Crenshaw King (IA)
 Culberson King (NY)
 Davis, Rodney Kinzinger (IL)
 Denham Kline
 DeSantis Knight
 DesJarlais Labrador
 Diaz-Balart LaMalfa
 Donovan Lamborn
 Duffy Lance
 Duncan (SC) Latta
 Duncan (TN) Long
 Ellmers (NC) Loudermilk
 Emmer (MN) Love
 Farenthold Lucas
 Fincher Luetkemeyer
 Fleischmann Lummis
 Fleming MacArthur
 Flores Marchant
 Forbes Marino
 Fortenberry Massie
 Neal Foxx
 Nolan McCarthy
 Norcross McCaul
 O'Rourke McClintock
 Pallone McHenry
 Pascrell McKinley
 Payne Goodlatte
 Pelosi Meadows
 Perlmutter Messer
 Peters Granger
 Pingree Graves (GA)
 Pocan Graves (LA)
 Polis Griffith
 Price (NC) Moolenaar
 Quigley Grothman
 Rice (NY) Guinta
 Richmond Guthrie
 Israel Hanna
 Ruiz Hardy
 Ruppertsberger Harper
 Rush Harris
 Ryan (OH) Noem
 Sánchez, Linda T.
 Sanchez, Loretta
 Sanford Hudson
 Sarbanes Huelskamp
 Schakowsky Huizenga (MI)
 Schiff Hultgren
 Schrader Hunter
 Scott (VA) Hurd (TX)
 Scott, David Hurt (VA)
 Serrano Issa
 Sewell (AL) Jenkins (KS)
 Sherman Jenkins (WV)
 Levin Johnson (OH)
 Slaughter Johnson, Sam
 Smith (WA) Jolly
 Speier Jordan
 Swalwell (CA) Joyce
 Takai Katko
 Takano Kelly (MS)
 Thompson (CA) Kelly (PA)
 Thompson (MS)

NOT VOTING—10

Bass Franks (AZ) McDermott
 Brady (PA) Graves (MO) Rangel
 Carter (TX) Gutiérrez
 Clawson (FL) Kaptur

ANNOUNCEMENT BY THE CHAIR

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

□ 1820

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

AMENDMENT NO. 6 OFFERED BY MR. BUTTERFIELD

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. BUTTERFIELD) 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 180, noes 240, not voting 13, as follows:

[Roll No. 456]

AYES—180

Adams	Gallego	Nolan
Aguilar	Garamendi	Norcross
Beatty	Graham	O'Rourke
Becerra	Grayson	Pallone
Bera	Green, Al	Pascrell
Beyer	Green, Gene	Payne
Bishop (GA)	Grijalva	Pelosi
Blumenauer	Hahn	Perlmutter
Bonamici	Hastings	Peters
Boyle, Brendan F.	Heck (WA)	Pingree
Brown (FL)	Higgins	Pocan
Brownley (CA)	Himes	Polis
Bustos	Hinojosa	Price (NC)
Butterfield	Honda	Quigley
Capps	Hoyer	Rice (NY)
Capuano	Huffman	Richmond
Cárdenas	Israel	Roybal-Allard
Carney	Jackson Lee	Ruiz
Carson (IN)	Jeffries	Ruppersberger
Cartwright	Johnson (GA)	Rush
Castor (FL)	Johnson, E. B.	Kaptur
Castro (TX)	Katko	Ryan (OH)
Chu, Judy	Keating	Sánchez, Linda T.
Cicilline	Kelly (IL)	Sanchez, Loretta
Clark (MA)	Kennedy	Sarbanes
Clarke (NY)	Kildee	Shakowsky
Clay	Kilmer	Schiff
Cleaver	Kind	Schrader
Clyburn	Kirkpatrick	Scott (VA)
Cohen	Kuster	Scott, David
Connolly	Langevin	Serrano
Conyers	Larsen (WA)	Sewell (AL)
Cooper	Larson (CT)	Sherman
Courtney	Lawrence	Sinema
Crowley	Lee	Sinema
Cuellar	Levin	Sires
Cummings	Lewis	Slaughter
Davis (CA)	Lieu, Ted	Smith (WA)
Davis, Danny	Lipinski	Speier
DeFazio	Loeb	Swalwell (CA)
DeGette	Lofgren	Takai
Delaney	Lowenthal	Takano
DeLauro	Lowey	Thompson (CA)
DelBene	Lujan Grisham (NM)	Thompson (MS)
DeSaulnier	Lujan, Ben Ray (NM)	Titus
Deutch	Luján, Ben Ray (NM)	Tonko
Dingell	Lynch	Torres
Doggett	Maloney	Tsongas
Doyle, Michael F.	Carolyn	Van Hollen
Duckworth	Maloney, Sean	Vargas
Edwards	Matsui	Veasey
Ellison	McCollum	Vela
Engel	McGovern	Velázquez
Eshoo	McNerney	Visclosky
Esty	Meng	Walz
Farr	Moore	Wasserman
Fattah	Moulton	Schultz
Foster	Murphy (FL)	Waters, Maxine
Frankel (FL)	Nadler	Watson Coleman
Fudge	Napolitano	Welch
Gabbard	Neal	Wilson (FL)
		Yarmuth

NOES—240

Abraham	Buchanan	Dent
Aderholt	Buck	DeSantis
Allen	Bucshon	DesJarlais
Amash	Burgess	Diaz-Balart
Amodi	Byrne	Dold
Ashford	Calvert	Donovan
Babin	Carter (GA)	Duncan (SC)
Barletta	Chabot	Duncan (TN)
Barr	Chaffetz	Ellmers (NC)
Barton	Coffman	Emmer (MN)
Benishek	Cole	Farenthold
Bilirakis	Collins (GA)	Fincher
Bishop (MI)	Collins (NY)	Fitzpatrick
Bishop (UT)	Comstock	Fleischmann
Black	Conaway	Fleming
Blackburn	Cook	Flores
Blum	Costello (PA)	Forbes
Bost	Cramer	Fortenberry
Boustany	Crawford	Foxo
Brady (TX)	Crenshaw	Frelinghuysen
Brat	Culberson	Garrett
Bridenstine	Curbelo (FL)	Gibbs
Brooks (AL)	Davis, Rodney	Gibson
Brooks (IN)	Denham	Gohmert

Goodlatte	Marino	Rothfus
Gosar	Massie	Rouzer
Gowdy	McCarthy	Royce
Granger	McCaul	Russell
Graves (GA)	McClintock	Ryan (WI)
Graves (LA)	McHenry	Salmon
Griffith	McKinley	Sanford
Grothman	McMorris	Scalise
Guinta	Rodgers	Schweikert
Guthrie	McSally	Scott, Austin
Hanna	Meadows	Sensenbrenner
Hardy	Meehan	Sessions
Harper	Messer	Shimkus
Harris	Mica	Shuster
Hartzler	Miller (FL)	Simpson
Heck (NV)	Miller (MI)	Smith (MO)
Hensarling	Moolenaar	Smith (NE)
Herrera Beutler	Mooney (WV)	Smith (NJ)
Hice, Jody B.	Mullin	Smith (TX)
Hill	Mulvaney	Stefanik
Holding	Murphy (PA)	Stewart
Hudson	Neugebauer	Stivers
Huelskamp	Newhouse	Stutzman
Huizenga (MI)	Noem	Thompson (PA)
Hultgren	Nugent	Thornberry
Hunter	Nunes	Tiberi
Hurd (TX)	Olson	Tipton
Hurt (VA)	Palazzo	Trott
Issa	Palmer	Turner
Jenkins (KS)	Paulsen	Upton
Jenkins (WV)	Pearce	Valadao
Johnson (OH)	Perry	Wagner
Johnson, Sam	Peterson	Walberg
Jolly	Pittenger	Walden
Jones	Pitts	Walker
Jordan	Poe (TX)	Walorski
Joyce	Poliquin	Walters, Mimi
Kelly (MS)	Pompeo	Weber (TX)
Kelly (PA)	Posey	Webster (FL)
King (IA)	Price, Tom	Wenstrup
King (NY)	Ratcliffe	Westerman
Kline	Reed	Westmoreland
Knight	Reichert	Whitfield
Labrador	Renacci	Williams
LaMalfa	Ribble	Wilson (SC)
Lamborn	Rice (SC)	Wittman
Lance	Rigell	Womack
Latta	Roby	Woodall
LoBiondo	Roe (TN)	Yoder
Long	Rogers (AL)	Yoho
Loudermilk	Rogers (KY)	Young (AK)
Love	Rohrabacher	Young (IA)
Lucas	Rokita	Young (IN)
Luetkemeyer	Rooney (FL)	Zeldin
Lummis	Ros-Lehtinen	Zinke
MacArthur	Roskam	
Marchant	Ross	

NOT VOTING—13

Bass	Duffy	McDermott
Brady (PA)	Franks (AZ)	Meeks
Carter (TX)	Graves (MO)	Rangel
Clawson (FL)	Gutiérrez	
Costa	Kinzinger (IL)	

□ 1825

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. McDERMOTT. Mr. Chair, on rollcall Nos. 454, 455, and 456. I was detained doing a TV appearance with Rev. Al Sharpton on MSNBC. Had I been present, I would have voted "yes" on 454, 455, and 456.

The Acting CHAIR (Mr. CHAFFETZ). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. CHAFFETZ, Acting 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. 1734) 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 369, he reported the bill back to the House with sundry amendments 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 reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were 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.

MOTION TO RECOMMIT

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

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

Mr. FOSTER. I am in its current form.

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

The Clerk read as follows:

Mr. Foster moves to recommit the bill H.R. 1734 to the Energy and Commerce Committee, with instructions to report the same back to the House forthwith, with the following amendment:

Page 11, after line 16, insert the following:

“(D) PROTECTING DRINKING WATER AND THE GREAT LAKES.—The implementing agency shall require that all structures that are surface impoundments meet criteria for design, construction, operation, and maintenance sufficient to—

“(i) prevent any toxic contamination of groundwater; and

“(ii) protect sources of drinking water, including the Great Lakes, the largest freshwater system in the world.

Mr. SHIMKUS. Mr. Speaker, I reserve a point of order.

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

The gentleman from Illinois (Mr. FOSTER) is recognized for 5 minutes in support of his motion.

□ 1830

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

What this commonsense amendment does is something that I think we should all be able to agree is a good thing; it protects our drinking water. My motion to recommit would require that coal ash impoundments must be sufficient to prevent toxic contamination of groundwater and to protect all sources of drinking water, including but not limited to the Great Lakes.

Coal ash—the material left after coal is burned—contains many toxic elements, including arsenic, cadmium, chromium, lead, and selenium. Arsenic exposure can lead to nervous system damage, cardiovascular issues, urinary tract cancers, lung cancer, and skin cancer.

When people are exposed to lead, they may experience brain swelling, kidney disease, heart problems, nervous system damage, a drop in intelligence, or even death. If not handled properly, these toxins can and do leach from storage sites and contaminate nearby water sources.

I think my colleagues on both sides of the aisle can agree that we don't want our children drinking water contaminated with lead, arsenic, and other toxic compounds; but that is exactly what happens when these surface impoundments are not properly built, maintained, and monitored.

According to a 2010 EPA risk assessment, people living near unlined coal ash ponds have an increase in lifetime cancer risk as high as 1 in 50 caused by the arsenic contamination alone in their drinking water. I suspect that this is a much higher risk than any of us would accept for our families and ourselves.

I do not believe that it is an accident that coal ash ponds, as well as the coal plants that produce them, are disproportionately located in economically disadvantaged areas, placing the burden on those with few resources to defend themselves and the health of their families.

A 2011 report by the Environmental Integrity Project found that my home State of Illinois has the second most sites contaminated by coal ash in the country, and that Illinois EPA data showed groundwater contamination exceeding health standards at all 22 coal ash-related sites the Agency monitored.

We know that there are coal ash ponds contaminating groundwater. Some are located in Waukegan, Illinois, which borders Lake Michigan. Contamination in Illinois is not just a problem for the people of Illinois; it is a problem for the entire country.

Water crosses State boundaries in lakes, rivers, and underground aquifers. That is why coal ash should be regulated at the national level, but at a minimum, we should demand that groundwater and drinking water be protected.

The Great Lakes are the largest freshwater system in the world, and it is unconscionable that we are considering a bill today that would weaken protections for the water that many of us drink.

The vote on this motion to recommit is fundamentally about whether or not you believe that all people in our country deserve access to safe drinking water.

I urge my colleagues to vote "yes" on this motion and "yes" to protecting the health of millions of American families.

I yield back the balance of my time. Mr. SHIMKUS. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation is withdrawn.

Mr. SHIMKUS. I claim the time in opposition.

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

Mr. SHIMKUS. We have had a good afternoon on debating the many amendments that have been brought forward. Let me just briefly, in this short time, talk about what we have done.

We have taken the recent EPA rule and codified it. In other words, we set it into statutory language so it can be enforceable. That allows States to set up State permitting programs that can be enforced.

We trust States with what we call the Solid Waste Disposal Act, which is RCRA, to protect the Great Lakes. I think we can trust the States, in working with minimal Federal standards, to do the same thing.

The EPA, three times, has determined that coal ash is not toxic—the EPA has determined three times. In 1993, in 2000, and with their recently released rule in December, they said coal ash is not toxic.

I am going to end on two letters that we mentioned in the bill markups and on the floor. We have the group called ECOS, Environmental Council of the States, which all the States' EPA directors; and also another group, called ASTSWMO, which is the Association of State and Territorial Solid Waste Management Officials, which is in all territories; and the Western Governors' Association. There is not a single dissent. The Western Governors' Association includes California, Oregon, and Washington State.

They all support H.R. 1734 because it actually does the opposite of what my colleague claimed. It strengthens the law. It codifies our ability to enforce the result so that our communities are safe.

I appreciate my colleague's motion. I ask my colleagues to reject it, 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

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 240, not voting 9, as follows:

[Roll No. 457]

AYES—184

Adams	Beatty	Beyer
Aguilar	Becerra	Bishop (GA)
Ashford	Bera	Blumenauer

Bonamici	Green, Gene	O'Rourke
Boyle, Brendan F.	Grijalva	Pallone
Brown (FL)	Hahn	Pascarell
Brownley (CA)	Hastings	Payne
Bustos	Heck (WA)	Pelosi
Butterfield	Higgins	Perlmutter
Capps	Himes	Peters
Capuano	Hinojosa	Peterson
Cárdenas	Honda	Pingree
Carney	Hoyer	Pocan
Carson (IN)	Huffman	Polis
Cartwright	Israel	Price (NC)
Castor (FL)	Jackson Lee	Quigley
Castro (TX)	Jeffries	Rice (NY)
Chu, Judy	Johnson (GA)	Richmond
Ciциlline	Johnson, E. B.	Roybal-Allard
Clark (MA)	Kaptur	Ruiz
Clarke (NY)	Keating	Ruppersberger
Clay	Kelly (IL)	Rush
Cleaver	Kennedy	Ryan (OH)
Clyburn	Kildee	Sánchez, Linda T.
Cohen	Kilmer	Sanchez, Loretta
Connolly	Kind	Sarbanes
Conyers	Kirkpatrick	Schakowsky
Cooper	Kuster	Schiff
Costa	Langevin	Schrader
Courtney	Larsen (WA)	Scott (VA)
Crowley	Larson (CT)	Scott, David
Cuellar	Lawrence	Serrano
Cummings	Lee	Sewell (AL)
Davis (CA)	Levin	Sherman
Davis, Danny	Lewis	Sinema
DeFazio	Lieu, Ted	Sires
DeGette	Lipinski	Slaughter
Delaney	Loeb sack	Smith (WA)
DeLauro	Lofgren	Speier
DeBene	Lowenthal	Swalwell (CA)
DeSaulnier	Lowey	Takai
Deutch	Lujan Grisham (NM)	Takano
Dingell	Lujan, Ben Ray (NM)	Thompson (CA)
Doggett	Lynch	Thompson (MS)
Doyle, Michael F.	Maloney, Carolyn	Titus
Duckworth	Maloney, Sean	Tonko
Edwards	Matsui	Torres
Ellison	McCullum	Tsongas
Engel	McDermott	Van Hollen
Eshoo	McGovern	Vargas
Esty	McNerney	Veasey
Farr	Meeks	Vela
Fattah	Meng	Velázquez
Foster	Moore	Visclosky
Frankel (FL)	Moulton	Walz
Fudge	Murphy (FL)	Wasserman Schultz
Gabbard	Nadler	Waters, Maxine
Gallego	Napolitano	Watson Coleman
Garamendi	Neal	Welch
Graham	Nolan	Wilson (FL)
Grayson	Norcross	Yarmuth

NOES—240

Abraham	Conaway	Gosar
Aderholt	Cook	Gowdy
Allen	Costello (PA)	Granger
Amash	Cramer	Graves (GA)
Amodei	Crawford	Graves (LA)
Babin	Crenshaw	Griffith
Barletta	Culberson	Grothman
Barr	Curbelo (FL)	Guinta
Benishek	Davis, Rodney	Guthrie
Bilirakis	Denham	Hanna
Bishop (MI)	Dent	Hardy
Bishop (UT)	DeSantis	Harper
Black	DesJarlais	Harris
Blackburn	Diaz-Balart	Hartzler
Blum	Dold	Heck (NV)
Bost	Donovan	Hensarling
Boustany	Duffy	Herrera Beutler
Brady (TX)	Duncan (SC)	Hice, Jody B.
Brat	Duncan (TN)	Hill
Bridenstine	Ellmers (NC)	Holding
Brooks (AL)	Emmer (MN)	Hudson
Brooks (IN)	Farenthold	Huelskamp
Buchanan	Fincher	Huizenga (MI)
Buck	Fitzpatrick	Hultgren
Bucshon	Fleischmann	Hunter
Burgess	Fleming	Hurd (TX)
Byrne	Flores	Hurt (VA)
Calvert	Forbes	Issa
Carter (GA)	Fortenberry	Jenkins (KS)
Chabot	Fox	Jenkins (WV)
Chaffetz	Frelinghuysen	Johnson (OH)
Coffman	Garrett	Johnson, Sam
Cole	Gibbs	Jolly
Collins (GA)	Gibson	Jones
Collins (NY)	Gohmert	Jordan
Comstock	Goodlatte	Joyce

Katko
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kline
 Knight
 Labrador
 LaMalfa
 Lamborn
 Lance
 Latta
 LoBiondo
 Long
 Loudermillk
 Love
 Lucas
 Luetkemeyer
 Lummis
 MacArthur
 Marchant
 Marino
 Massie
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mica
 Miller (FL)
 Miller (MI)
 Moolenaar
 Mooney (WV)
 Mullin
 Mulvaney
 Murphy (PA)
 Neugebauer
 Newhouse

NOT VOTING—9

Barton
 Bass
 Brady (PA)

Carter (TX)
 Clawson (FL)
 Franks (AZ)
 Graves (MO)
 Gutiérrez
 Rangel

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1842

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 258, noes 166, not voting 9, as follows:

[Roll No. 458]

AYES—258

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Ashford
 Babin
 Barletta
 Barr
 Barton
 Beatty
 Benishkek
 Bilirakis
 Bishop (GA)

Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Boustany
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck

Shimkus
 Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Stefanik
 Stewart
 Stivers
 Stutzman
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Trott
 Ratcliffe
 Turner
 Upton
 Valadao
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Walters, Mimi
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Westmoreland
 Ross
 Williams
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yoder
 Gibson
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Graham
 Granger
 Graves (GA)
 Graves (LA)
 Green, Gene
 Griffith
 Grothman
 Guinta
 Guthrie
 Hanna
 Hardy
 Harper
 Harris
 Hartzler
 Heck (NV)
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Hill
 Holding
 Hudson
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurd (VA)
 Hurt (TX)
 Issa
 Jenkins (KS)
 Jenkins (WV)

Conaway
 Cook
 Costa
 Costello (PA)
 Cramer
 Crawford
 Crenshaw
 Cuellar
 Culberson
 Curbelo (FL)
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Dold
 Donovan
 Doyle, Michael
 F.
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers (NC)
 Emmer (MN)
 Farenthold
 Fincher
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foy
 Frelinghuysen
 Fudge
 Garrett
 Gibbs
 Gibson
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Graham
 Granger
 Graves (GA)
 Graves (LA)
 Green, Gene
 Griffith
 Grothman
 Guinta
 Guthrie
 Hanna
 Hardy
 Harper
 Harris
 Hartzler
 Heck (NV)
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Hill
 Holding
 Hudson
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurd (VA)
 Hurt (TX)
 Issa
 Jenkins (KS)
 Jenkins (WV)

NOES—166

Adams
 Aguilar
 Becerra
 Bera
 Beyer
 Blumenauer
 Bonamici
 Boyle, Brendan
 F.
 Brown (FL)
 Brownley (CA)
 Butterfield
 Capps
 Capuano
 Cárdenas
 Carney
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)

Johnson (OH)
 Johnson, Sam
 Jolly
 Jones
 Jordan
 Joyce
 Katko
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kirkpatrick
 Klaine
 Knight
 Labrador
 LaMalfa
 Lamborn
 Lance
 Latta
 LoBiondo
 Long
 Loudermillk
 Love
 Lucas
 Luetkemeyer
 Lummis
 MacArthur
 Marchant
 Marino
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Stefanik
 Stewart
 Stivers
 Stutzman
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Trott
 Turner
 Upton
 Valadao
 Walden
 Visclosky
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Walters, Mimi
 Walz
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Westmoreland
 Whitfield
 Williams
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Young (IN)
 Zeldin

Schakowsky
 Schiff
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Speier
 Swalwell (CA)
 Takai
 Payne
 Pelosi
 Peters
 Pingree
 Pocan
 Poliquin
 Polis
 Price (NC)
 Quigley
 Rice (NY)
 Richmond
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes

NOT VOTING—9

Bass
 Brady (PA)
 Carter (TX)

Clawson (FL)
 Franks (AZ)
 Graves (MO)
 Gutiérrez
 Rangel
 Zinke

□ 1849

Mr. TAKAI changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Wednesday, July 22, 2015. Had I been present, I would have voted “yea” on rollcall votes: 453, 454, 455, 456, and 457. Had I been present, I would have voted “nay” on rollcall votes: 450, 451, 452, and 458.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3009, ENFORCE THE LAW FOR SANCTUARY CITIES ACT

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 114-223) on the resolution (H. Res. 370) providing for consideration of the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 2646

Mr. MURPHY of Pennsylvania. Mr. Speaker, I request unanimous consent to remove the following Members as cosponsors of H.R. 2646: Representatives JOYCE BEATTY, RON DESANTIS, and ZOE LOFGREN.

The SPEAKER pro tempore (Mr. BISHOP of Michigan). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RESTORATION OF THE U.S. CAPITOL DOME

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

Mr. LAMALFA. Mr. Speaker, today I would like to draw attention to the excellent work that the Architect of the Capitol has been doing in repairing and restoring the dome of our Capitol Building. I was recently briefed with an update on the progress they are making about halfway through the project. I am very impressed so far with the work.

Starting last June, they installed 52 miles worth of scaffolding at 25 layers around the dome. It only touches the dome at three areas so that the weight-bearing structures do not affect and damage the dome.

I am glad to know, also, that part of the repair devices come from California. In order to repair the cracks that they have in the iron structure that happens over the years, a company from Turlock, California, devised a drill and self-tapping mechanism here that requires no welding, no cornices, none of the complications you get with cast iron, therefore making repair of the dome effective and very good for the long term.

They have removed 12 layers of paint and will put on three new good layers to make the dome gleam. We have some really excellent folks, 100 people in construction at any one time, helping to make our dome gleam. That is something we can all be proud of in our country, which is what I think this Capitol symbolizes: the greatness of the United States of America.

So my hat is off to the great work of the Architect of the Capitol in restoring our dome.

REMEMBERING PHILIP SCHOLZ

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

Mr. SWALWELL of California. Mr. Speaker, I rise to remember and honor Philip Scholz of Pleasanton, California, who died last year saving another person from an oncoming train.

In January 2014, Philip saw someone on the Caltrain commuter tracks. He reached out to try and help save this person. Both were tragically struck by the train, and while the other man suffered injuries, he survived, and we lost Philip.

Originally from Washington State, Phil attended college in the bay area at Santa Clara University. At the time of his death, he and his wife had lived in Pleasanton, my Congressional district, for over 10 years.

Phil was not just a hero for the way that he saved this man's life; that is how he lived every day. Phil loved to hike, play organized sports, and rescue animals. He was also a regular blood donor and constantly put others before himself.

His wife and friends have honored his memory by creating the Philip Scholz Memorial Foundation to support the interests and causes in which Phil believed, such as donating to the Valley Humane Society of Pleasanton.

Earlier this year, Phil was posthumously awarded the Carnegie Medal by the Carnegie Hero Fund Commission, given to recognize those who have risked their lives to save others, and given to fewer than 10,000 people since 1904.

Both the memorial foundation and this award are fitting tributes for such a courageous man. Hopefully, they serve to remind us of Phil's example and inspire others as well.

HONORING THE ACCOMPLISHMENTS OF ANDRE IGUODALA

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor Andre Iguodala, an Illinois native who was named the Most Valuable Player while playing for the Golden State Warriors in the 2015 NBA Championship series.

Mr. Iguodala's basketball career began in Illinois' 13th District. As a student at Lanphier High School in Springfield, Andre led his team to the State championship game in his senior year and went on to play for the University of Arizona. After graduation, Andre began his professional basketball career in the NBA.

Before his appearance this year in the NBA Finals, Andre proudly represented America as a member of the 2012 U.S. Olympic Team in London. He contributed to the team's efforts that ultimately earned them a Gold Medal.

This year, Andre proved to be an important contributor to the Warriors' 2015 NBA Finals success. He was a crucial part in helping to earn the team the NBA championship title, and he was awarded the MVP award with a resounding vote of 7-4.

I am proud to recognize Andre Iguodala and his many accomplishments and his dedication to basketball from his time as a youth in Springfield, Illinois, until now.

Congratulations, Andre. Congratulations to all the Warriors fans. And congratulations to those in Springfield who continue to look up to you every single day.

THE VOTING RIGHTS ACT

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

Ms. FUDGE. Mr. Speaker, 730 days; 17,520 hours; 1,051,200 minutes; 2 full years since the Supreme Court ruled section 4 of the Voting Rights Act of 1965 unconstitutional; 2 full years without voter protections and full access to the ballot box.

Since the ruling, many Americans in States like Ohio have been subjected to restrictive voter registration requirements, paying costly fees for State IDs or waiting in line for hours on election day.

Legislation to restore the VRA and strengthen the right to vote have been offered, but the majority has refused to take them up. It is clear Congress has dropped the ball.

Two years without the full protection of the Voting Rights Act is too long. The clock is ticking. It is time to restore the VRA.

WE NEED A COMMONSENSE SOLUTION

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

Mr. LIPINSKI. Mr. Speaker, Americans are appalled by the murder of Kate Steinle by a man who had been deported five times and was wanted by ICE but was let free.

In Chicago, Denny McCain was killed by a drunk driver who had a prior felony and who was in our country illegally. ICE issued a detainer, but the defendant was let out on bail and disappeared.

Donald Trump is wrong. Most immigrants to America are upstanding people who come to our country to work hard, but policies that permit these travesties should be stopped.

Unfortunately, we are not being offered a commonsense solution. We are offered the polarizing choices that we either do nothing or we harm the very institutions and citizens we are trying to protect.

What we need to do is stop local policies that ignore ICE detainers and let criminals go who are in our country illegally. I know this commonsense solution will anger people on both sides, but ask local police. They want to focus on those who have committed crimes in their communities. It is just common sense.

□ 1900

REMEMBERING FORMER SPEAKER OF THE HOUSE JIM WRIGHT

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

GENERAL LEAVE

Mr. VEASEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. VEASEY. Mr. Speaker, I rise today to honor the life and legacy of one of the great leaders that stood tall here in Washington, D.C., and back home in Texas, James "Jim" Claude Wright, Jr., who passed away recently, back in May, at the age of 92.

And, Mr. Speaker, I am sad to announce that his wife Betty just died on July 15, just last week. So the family has been through a lot.

We have a lot of really nice stories to tell about Speaker Wright and how he has influenced so many people.

I want to begin by yielding to the gentleman from Maryland (Mr. HOYER), our minority whip.

Mr. HOYER. I thank the gentleman from Texas for yielding.

Jim Wright would have been proud of MARC VEASEY. He would have said MARC VEASEY is in the Jim Wright tradition. I am going to speak a bit about that.

Mr. Speaker, I rise to talk about a Mr. Speaker, to pay tribute to the life and legacy of a man who served this House and our country with distinction as a Member, as majority leader, and as Speaker.

Jim Wright was a man of principle and great political skill, and he relied on both during his 34 years in Congress. I have now served 34 years in Congress, and for part of that 34 years, I had the honor of serving with Jim Wright.

Just 2 years after he was first elected to represent Texas' 12th Congressional District, Jim stuck to his principles and refused to sign the Southern Manifesto, opposing desegregation, as so many of his southern colleagues did.

It was a risk, of course, Mr. Speaker, politically, but he put his belief in equal opportunity ahead of what was politically popular among his constituents at the time.

When he voted for the Civil Rights Act of 1957, it was a further sign of his courage, of his conviction, and of his adherence to the principles that have made our country so great and so respected.

In spite of breaking with many of his southern conservative Democratic colleagues on that issue, he forged friendships with them based on mutual respect and good old-fashioned camaraderie, just as he did with Members from other parts of the country and across party lines.

Jim was elected majority leader in 1976, and he was serving in that capacity when I came to Congress in 1981. Today, Mr. Speaker, I am honored to sit in the same office, H-148 in the Capitol Building, just a few feet from this floor, where Jim Wright sat as the majority leader.

If you look up toward the ceiling in one corner of our office suite, you can still see the great seal of the State of Texas painted on the wall. Emblazoned in the center of that seal is the proud lone star of Texas.

Sam Rayburn may have been one of those stars, Lyndon Johnson may have been one of those stars, and many other Texans may have been one of those stars. But in our office, that lone star stands for Speaker Jim Wright.

In many ways, Jim was that lone star who stood out at the center of our party in this House, a leader who knew how to bring Members together by inspiring them to follow his example.

He never wavered in his mission to bring Democrats and Republicans together and replace partisan divisions with cooperation, comity, and—yes—compromise, which is in such little supply on this floor right now.

Jim was an extraordinary person. He was someone who refused to take "no" for an answer and seemed destined to serve his community and his country.

Mr. Speaker, at age 10, he tried hard to join the Boy Scouts, even though he was 2 years shy of the minimum age to participate.

At 13, Jim lied and said he was 16 in order to enter a boxing tournament. Now, there are some 13-year-olds who can empathize with that. And, Mr. Speaker, he almost won that competition.

In high school, his classmates wrote in his class of 1939 yearbook that Jim would likely be serving in Congress by 1955. How prescient his classmates were, for he won his first congressional election in 1954.

While in college at the University of Texas, Jim learned that the attack on Pearl Harbor had occurred. Without hesitation, he decided to drop out the next day and join the Army Air Corps.

Jim flew more than 300 combat hours over the South Pacific. He flew, as my stepfather did, in the battles that were fought in the Pacific to combat those who had attacked Pearl Harbor. He was decorated for his distinguished service.

Those of us who served with Jim in the House saw the same determined spirit he demonstrated in the Army as he applied himself to serving the people of Texas' 12th District.

I had the opportunity to be at Jim Wright's funeral on May 11 of this year.

On the day of his assassination, in the last speech of his life, President John Fitzgerald Kennedy visited what he called "Jim Wright's city" and praised the Congressman by saying, "I don't know of any city that is better represented in the Congress of the United States than Fort Worth," Texas.

I can remember the year after Jim Wright was elected Speaker of the House that I had the opportunity of chairing and emceeding a dinner that was held in Fort Worth, one of the biggest ever held there.

I will echo, therefore, that sentiment. I can think of few who served in the Congress who will be remembered as fondly by those they served with than Jim Wright, by his constituents, by his colleagues, and by his family. He loved this institution dearly.

His family and those who served with him, like me, will miss him. A grateful

Nation thanks him for a lifetime of service to us all.

And I thank the gentleman for yielding to me.

Mr. VEASEY. Mr. HOYER, I thank you very much. I appreciate those very kind words about Speaker Wright, and everyone in Fort Worth and the metroplex will appreciate those kind words as well.

I also would like to recognize Minority Leader NANCY PELOSI. She is another Member of Congress who also served with Speaker Wright, someone that she was also very fond of. She had the opportunity to talk with Speaker Wright a couple of years before his passing when she was down in Fort Worth.

Mr. Speaker, I yield to the gentleman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding to me on this very special Special Order.

I thank you for affording me the opportunity to visit with Speaker Wright, as you mentioned, in just the recent past. On a number of occasions and visits to Texas, I have had the privilege of basking in his glow, because that is what we did here in the Congress of the United States.

When Jim Wright was the Speaker of the House, I had the privilege to serve under his leadership for a short period of time because I was a new Member at the time.

And when he would come to this floor, to this well, to speak as the Speaker of the House, his oratory was just so compelling. People would stop what they were doing to listen to what Jim Wright had to say and how he said it.

In some ways, that was of another era that hearkened back to how the business or the work of Congress was conducted, where people would come and actually listen to the debate.

He was a man of great oratorical skill, of course, a legislative master, but he was also a person of great courage and a person of great principle.

Tonight we gather on the floor to honor the memory of this great Speaker of the House. From the service that earned him the Distinguished Flying Cross in World War II to leadership that defined his 34 years in the House, Jim Wright exemplified commitment to the bright future of America's families.

He was a great patriot. He was one of America's most distinguished and dedicated public servants, a person known for deep courage, brilliant eloquence, and a complete mastery of the legislative process.

Wright's strong, decisive leadership built an indelible legacy of progress not only in his beloved State of Texas, but around the world.

Jim Wright championed investing in our infrastructure. Jim Wright had been a member of the Transportation Committee. He helped forge a path to peace in Central America.

For that, I will always be grateful to him for his brilliance, for his leadership, and especially for his courage. It

was hard to do. Jim Wright sought prosperity for every hard-working family.

Speaker Wright was a patriot who held the respect of friends and colleagues on both sides of the aisle. Even after he left the House, Wright continued to contribute to building a better future for our country by sharing his wisdom with the new generation of leaders, as professor at Texas Christian University.

When Jim Wright was presented the gavel in 1987, becoming the Speaker of the 100th Congress, he spoke of the enduring promise of our Constitution and of the sacred responsibility it entrusts the Members of the House. He said:

We are its custodians. Those men of principle and vision who penned the deed to freedom had in mind a very special place for the Congress. Ours is a creative and dynamic role. We alone can legislate. Only we can appropriate. We are expected to initiate, to innovate, to see the obstacles on the road ahead, and to chart a path around them for our Nation.

He went on to say:

Let us, with gratitude for the privilege that is ours, ask Almighty God that He shall grant to each of us a portion of the vision to see the right; the courage to stand for the right; the honesty to admit human error; and the love that binds our Nation and our people together, to the end that we may continue to be not the envy of the world but an inspiration to the world—and an instrument of His peace.

Mr. Speaker, 28 years later, Jim Wright's prayer for bravery and humility still speaks to us through the decades. He was indeed a person who had the vision to see the right and the courage to stand for the right. And, for that, we are enormously grateful.

Speaker Jim Wright never stopped serving our country, and his achievements will stand forever as a living monument to his determined vision and legislative ability.

I learned a lot from Jim Wright in the short period of time that I served with him in Congress, and from time to time I share those lessons with newer Members of Congress, but also with great humor.

We hope it is a comfort to Speaker Wright's family, friends, students, and colleagues that so many of us share their grief and some come to the floor to join with them in celebrating his memory.

May his legacy long keep watch over the House he led, and may it challenge all of us to do more and do better on behalf of America's hard-working families.

Thank you to Jim Wright's family for sharing him with all of us. It was an honor to serve with him. It was even a bigger privilege to call him friend.

I will miss that I will not be seeing him from time to time in Texas. I always invited him to the Congress for any special occasion we had. And on one or two occasions, he did accept, and that was an honor for this House.

I thank the gentleman for yielding and for calling this Special Order.

□ 1915

Mr. VEASEY. Leader PELOSI, I appreciate those kind words about Speaker Wright, and I know that his family will appreciate everything that you have to share. Thank you so much.

Mr. Speaker, I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Speaker, I do want to add to my remarks because I was so taken by speaking about Jim Wright; but on the occasions I did see him in Texas, on the most recent occasions, he expressed the pride he took in your service in the Congress.

Congratulations to you, Congressman VEASEY, for carrying on that beautiful legacy.

Mr. VEASEY. Mr. Speaker, I would like to recognize, from the 30th Congressional District in Texas, the gentlewoman from Dallas, Ms. EDDIE BERNICE JOHNSON, who also was very well acquainted and was a good friend of Speaker Wright's and has some great stories about things that she shared with Speaker Wright over the years.

Now, I would like to welcome and yield to the gentlewoman from the 30th Congressional District from Dallas, Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today with great pleasure to pay tribute to the life and legacy of the former Speaker of the House, James "Jim" Wright, who passed away on Wednesday, May 6, at age 92 of this year.

Speaker Wright served in Congress for more than three decades and left an indelible legacy as chairman of the House Public Works Committee that is now named the Transportation and Infrastructure Committee.

He was elected by his peers as Speaker in 1987. He was born in Fort Worth, Texas, the son of a traveling salesman. He was educated at Weatherford College and the University of Texas at Austin. He dedicated his life to serving the public. He bravely served in the United States Army Air Force during World War II and was awarded the Distinguished Flying Cross for flying combat missions in the South Pacific.

Subsequently, he was elected to the Texas House of Representatives in 1946. He served as mayor of Weatherford, Texas, from 1950 to 1954; and he was elected to the U.S. House of Representatives in 1954. He was reelected 16 times.

Speaker Wright was a visionary who served the people of Fort Worth and this Nation well. He is deserving of this tribute. Because of his leadership, the House experienced one of the most prolific periods.

Speaker Wright demonstrated his skill as a political leader and a master legislator by shepherding extraordinarily complex legislation through the House. He understood that the business of legislating and good politics required good skill in the art of compromise.

Speaker Wright never backed down from a challenge. Even after leaving of-

fice, he continued to serve the public diligently. I was always able to consult with Speaker Wright, and I will always cherish those memories.

He was the author of the Wright amendment at the time the Dallas/Fort Worth airport was built. When it came time for it to change, only Speaker Wright, even in retirement, was able to get it loose in the Senate so that we could get it passed in the House as well.

Our country has lost one of its finest statesman; and I have lost a very close personal friend whose wisdom, dignity, and knowledge of the legislative process was unquestionably enviable.

He is among the most influential speakers in the history of the House of Representatives. Jim Wright is really an unforgettable public servant and leader. A man fueled by passion and concern for others, he set the bar high for his successors.

At the time of his death, he was survived by his wife, Betty, who was deceased just recently, and four children.

I stand today to honor former Speaker of the House Jim Wright and thank him for his work in the service of the people of Texas and throughout the Nation. He has left a powerful legacy that will live for generations.

I want to thank my colleague, Congressman VEASEY, for having the leadership and the vision for waiting for a while to be able to sponsor this hour in tribute to Speaker Wright.

SPEAKER JIM WRIGHT

December 22, 1922–May 6, 2015

Jim Wright, Speaker of the U.S. House of Representatives and Distinguished Lecturer at TCU, died Wednesday, May 6, 2015, in Fort Worth.

Jim Wright was born on December 22, 1922, to James Claude and Marie Lyster Wright. His childhood years were spent in Oklahoma and Texas during and after the Depression but for the remainder of his life he referred to both Weatherford and Fort Worth as home. This period in his life had a strong impact on his later legislative priorities. He finished his primary education by age 16 and soon thereafter enrolled in Weatherford College and the University of Texas in Austin. In his senior year, Pearl Harbor called many of the young men his age to enlist in the military and to serve their country. Wright enlisted in the Army Air Corps at age 19 and in 1943 flew the first of five legs in the South Pacific movement of the 380th Heavy Bomb Group as a bombardier. During World War II, men painted a personal name on the exterior of their aircraft and Wright's group flew nightly raids from Australia to nearby Japanese bases in a B-24 Liberator Bomber known as Gus's Bus.

Soon after enlisting, Jim married his college sweetheart, Mary Ethlyn Lemons, on December 25, 1942. They were married for 28 years and had five children: James C. III; Virginia; Kay; Parker Stephen and Alicia Marie. Mary Ethlyn and Parker Stephen preceded him in death. He married Betty Hay in November 1972 and they lived together in Washington, D.C. and later Fort Worth. Betty was his love and companion for 42 years. In addition to Betty and these children, he is survived by 15 grandchildren, 24 great-grandchildren and his sister, Betty Lee Wright.

Wright returned from the war and at age 23 was elected to the Texas State Legislature

as one of the youngest men to ever serve in that body. He subsequently served as mayor of Weatherford and worked in his father's rural economic development business as an advertising agent for National Trades Day. In November of 1954 Wright was elected to the U.S. House of Representatives from Texas' 12th Congressional District. In Congress, he served on the Public Works Committee, Budget Committee and beginning in 1977 as the majority leader for the Democrats in Congress. In 1987, his colleagues elected him to be Speaker of The House. He had many lasting influences in Fort Worth, including infrastructure projects such as DFW Airport, veterans' programs and environmental projects.

After World War II, Wright referred to Congress as a heady place to be, where members of both political parties cooperated to make America a world leader and to build and support a strong middle-class. He said, "We'd had to cast aside the restraining remnants of local chauvinisms, ethnic schisms, religious bigotry, and regional mistrusts. In the words of our pledge of allegiance, we were becoming more nearly 'one nation, indivisible.'" He loved the institution.

One of the most fulfilling days in Wright's political career came on Nov. 22, 1963, when President John F. Kennedy visited Fort Worth to meet and speak to residents. And less than two hours after speaking in Fort Worth, it became one of the most tragic in all of history when President Kennedy was shot. The whiplash of that day's emotion haunted Jim as one of the happiest then one of the saddest moments in his lifetime. Before leaving Fort Worth, President Kennedy said, "I know of no other city in the United States that is better represented in the Congress of the United States than Fort Worth."

Wright's accomplishments as a U.S. Congressman were many. Among his proudest memories he would recall legislation creating the Clean Water Act, interstate highway system, benefits for returning veterans, and the honor he felt as a witness and participant to creating peace. He visited the Middle East, facilitating the initial meeting that led to the accord between Israel and Egypt in 1977; and in ending the internal strife in Nicaragua in 1988 by leading a compromise to end the U.S.-financed war between the Sandinista Government and the Contras. In foreign affairs, Wright enjoyed the role of bipartisanship and peacemaker, and Nicaragua was perhaps the most difficult of all bipartisan efforts. To the surprise of an increasingly partisan group of legislators wanting to overthrow the Nicaraguan government, his approach led to an end to U.S.-financed weapons and to constructive talks among the Nicaraguan leaders and eventually to democratically-held elections.

His success led a similar group of partisan legislators to file ethics charges against him, and even though the initial charges against him were dropped for lack of evidence, the persistence of what had become an increasingly partisan and combative Legislative Branch led to his resignation. In his resignation speech he said, "When vengeance becomes more desirable than vindication, harsh personal attacks on one another's motives, one another's character, drown out the quiet logic of serious debate on important issues, things that we ought to be involved ourselves in. Surely, that's unworthy of our institution, unworthy of our American political process. All of us in both parties must resolve to bring this period of mindless cannibalism to an end. There's been enough of it." To Jim's constant dismay, he did not live long enough to see the end or even a diminished attack by partisan efforts.

After returning to Fort Worth, Wright put his official office papers with the TCU Li-

brary and for more than 20 years, he taught at TCU a course on "Congress and the Presidents." His intention to keep the classes small was not possible and his classes continued to grow by registering interested students. In December 2010, his eyesight had become an insurmountable challenge as a teacher and he retired.

Jim Wright approached life with an eager and courageous mission in each pursuit. He had the balance of knowledge, intuition, direction and wisdom that comes from experience. His ability to forgive and move on was amazing, and his desire to overcome was persistent. When he loved he did it with all his heart and he loved this lifetime. Horace Greeley had a quote that Wright used—"and fame is a vapor, popularity an accident, riches take wings, those who cheer today may curse tomorrow, only one thing endures: character."

Well done, Jim Wright, your character endures and you will be forever remembered.

—After a private conversation

with Dad in 2013

Ginger

Mr. VEASEY. Mr. Speaker, I thank the Congresswoman from the 30th District, Ms. EDDIE BERNICE JOHNSON, for her very kind words about Speaker Wright. He was very fond of you and appreciated your leadership in an area that he excelled in, which was transportation. I just want to thank you for your kind words.

Now, I would like to recognize from Houston, Texas, the distinguished gentlewoman, SHEILA JACKSON LEE, who would also like to have a few words about Speaker Jim Wright.

So many Texans that served with Jim Wright and those who didn't have the opportunity to serve with him really appreciated his style and everything that he stood for. He was such a statesman.

You can tell how his influence was felt because so many individuals like SHEILA, so many other people that knew the Speaker reached out to me after his death and wanted to send condolences to his friends and his family, and she was just thankful that he was so influential in SHEILA JACKSON LEE's life as well.

Mr. Speaker, I yield to the gentlewoman from Houston, Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I am delighted to be here with my colleagues from all over the Nation, Leader PELOSI, Whip HOYER, and my colleague as well, Congressman JOHNSON from Dallas.

We all gathered at the funeral of Speaker Wright, and it was almost like a reunion of family members from the many political persons, public servants who not only through the years have known Speaker Wright, but really, those who came to honor him because of the iconic role that he played in the history of Texas and the history of America.

We are excited that he was a Speaker that cared about people and cared about Members. He, as was indicated, was born in Fort Worth, loved Fort Worth, and never wanted to leave Fort Worth.

I think it is interesting that he was the son of a professional boxer who

turned tailor. After the attack in Pearl Harbor in December 1941, he left college to enlist in the United States Army and flew combat missions in the South Pacific, earning the Distinguished Flying Cross and Legion of Merit. He was of the Greatest Generation.

He served in the Texas House. From his hometown of Weatherford, he became the mayor for his boyhood home. He served in that post for 4 years, from 1950 to 1954, before his first congressional victory.

Speaker Wright had a way with words. He was an eloquent speaker. He was a disciple of House Speaker Sam Rayburn, a fellow Texan. He was also a disciple of another Texan, Lyndon B. Johnson, who served in the Senate during Wright's initial years in Congress before becoming Vice President in 1961.

He was in the Presidential motorcade on November 22, 1963, when President John F. Kennedy was assassinated in Dallas. To describe the depth of sadness that engulfed us that day defies vocabulary, he once said, recalling how the friendly mood of the Dallas crowds turned to sheer terror and horror. It was that day that his friend, Lyndon B. Johnson, became the President of the United States.

He worked hard for the people of Fort Worth. He was a person of deep courage, brilliance, eloquence, and complete mastery of the legislative process. He was decisive and strong, and he handled his Texas Members.

He championed the causes of Texas. He believed in the goodness of America, and he was a great achiever. He loved the Boy Scouts. As I indicated, his father was a boxer, and he started out doing that as well.

I come today to honor him as a great American and to add to this tribute that he served with President Lyndon Baines Johnson when the Civil Rights Act and the Voting Rights Act were passed.

He was a friend of one of my predecessors, the Honorable Barbara Jordan. They served together. They knew each other. They were strong Texans, but they loved America.

I know that, as we look to promoting his legacy, besides caring about this institution and loving America and honoring our men and women in the United States military, I know that it is also time, in his name, to bring forward the Voting Rights Act reauthorization that will, again, restore and invest in the rights of people to vote and will capture what he understood to be the right way to handle America's business, and as well, it captures his friend's vision, the Honorable Barbara Jordan, who, in fact, wrote the language to add Texas to the Voting Rights Act.

I thank you, Congressman, for having this very special Special Order for us to thank a dear friend who, again, I salute tonight as a great American.

To his family, thank you so very much for sharing Jim Wright—Speaker

Wright—a great Texan and a great American, with all of us.

Mr. Speaker, today, we mourn the loss of one of America's most distinguished and dedicated public servants: Speaker Jim Wright.

From the service that earned him the Distinguished Flying Cross in World War II to the leadership that defined his 34 years in the House, Jim Wright exemplified commitment to the future of America's families.

Jim Wright represented Fort Worth in Congress for 34 years. Jim Wright was a peacemaker, local politician and international leader and a consummate Democrat who offered his hand for bipartisanship.

Jim Wright worked for the people of Fort Worth, whether it was winning a bomber contract for a Fort Worth defense contractor or helping an individual with their Social Security.

Speaker Wright was a person of deep courage, brilliant eloquence, and complete mastery of the legislative process.

Speaker Wright's strong, decisive leadership built an indelible legacy of progress, not only in his beloved state of Texas, but around the world.

Speaker Wright championed prosperity for every working family, and helped lead the way to peace to Central America.

After he left the House, Wright continued to share his wisdom with new generations of leaders as a professor at Texas Christian University.

Jim Wright was an achiever. When he was 10 years old, he tried to join the Boy Scouts, two years ahead of the minimum age.

As a 13-year-old boxer, he told officials he was 16 in order to enter an AAU tournament, where he won two bouts and lost the third in a close decision.

Jim Wright became hooked on history and decided to become a congressman while he was sidelined from high school football by a knee injury.

Jim Wright was 23 when he started his political career when he was elected to the Texas Legislature.

He never stopped serving our country, and his achievements will stand forever as a living monument to his determined vision and legendary ability.

We hope it is a comfort to Speaker Wright's family, friends, students and colleagues that so many join them in grieving and honoring such a wonderful man. Today we bury a favorite son of Texas.

Speaker Wright was a man who loved his country and today we mourn his loss. He was the Speaker of the House in Congress and a humble man.

During the funeral many spoke to his ability to forgive and the words of his great-granddaughter will always stay with me which was that when we leave the funeral today she wanted us to think of hope over despair and prosperity over scarcity.

If the Congress can begin to turn its attention to these philosophies America will be a better nation.

We should always pay tribute to those who helped make Texas great. Speaker Wright has left us with a remarkable story.

Mr. VEASEY. Mr. Speaker, I want to thank the gentlewoman from Houston, SHEILA JACKSON LEE, for sharing so many great stories and fond memories of Speaker Jim Wright.

I would like to add a few words of my own. Jim Wright was very influential

to me. When I was elected into the State legislature in 2004 was when I really started to get to know him well. I had known him previous to that when I was an aide for United States Congressman Martin Frost, who was also from Fort Worth.

Once I got into the State legislature, I got to know him even more, and I realized very quickly what a great storyteller he was. Speaker Wright had some amazing stories from people that he had met over the years, people that influenced him in his life.

So many people always wonder how he became the great orator that he was. There were so many stories that I heard early on about before the House had C-SPAN—now, we can watch coverage of the House of Representatives 24 hours a day, thanks to technology—but Speaker Wright was such a great orator that, before C-SPAN came into effect, you heard stories about staffers coming to fill the galleries so they could come and hear this man from Fort Worth, Texas, come in and give speeches because they were so amazing.

I asked him: How did you become the great orator that you were when you were in the U.S. House of Representatives and that you still are today? Even, unfortunately, with the oral cancer that he had—his speech had been hampered, but it was still amazing, the wisdom and the knowledge that he shared.

As you have heard from so many speakers tonight, boxing was a very important part of life. He loved boxing. It was something that he watched over the years. When he was growing up in Weatherford, Texas, that was one of the ways how young boys and men distinguished themselves, was their boxing skills on the street.

He told me that, one day, his dad told him that while it was great that he was able to distinguish himself with his fists through boxing, that if he really wanted to improve himself and improve his lot in life, that he would learn how to be a great orator, that he would learn what the anatomy of a great speech was all about; so Jim Wright, at a very early age, decided that he was going to learn how he could become a better speaker, and there are so many stories like that.

I went to his office right before I was sworn in, in 2012, and I asked him to just share some of that wisdom with me as an incoming new Member of Congress. He told me so many stories that day. One of them related to boxing.

Many of you know Larry Hagman from "I Dream of Jeannie" and from the TV series "Dallas." Some of you may know that Larry Hagman's mother is Mary Martin of Peter Pan fame. Mary Martin was actually from Weatherford, Texas, and she knew Jim Wright and knew Speaker Wright's family.

I said: Larry Hagman told a friend of mine that he ran into that you taught him how to box; is that true?

Speaker Wright began to tell me the story about his mother thought that

maybe he needed to get back to his Texas roots and have a little bit more Texas upbringing in him, and so she sent him back to Weatherford, Texas, with his dad; and Speaker Wright taught him how to box. That was how Larry Hagman learned how to become a boxer.

One of the areas that Speaker Wright—and NANCY PELOSI talked about it a lot—how he was a big influence in my life and so many others' lives—and I would be remiss if I did not mention some of the former Members that also he was very influential in their lives.

Congressman Martin Frost, who was the ranking member of the Rules Committee, Speaker Wright was very, very influential in getting him on the Rules Committee his freshman year in office.

□ 1930

Also Secretary Pete Geren, a former Member of Congress and Secretary of the Army and Air Force, again, Speaker Wright was very influential early on in his career. Pete Geren was actually Speaker Wright's successor in Congress, and that was also very important to him.

Many people know that Speaker Wright was known as a very strong Democrat. He was someone that loved the Democratic Party, that was very proud of his Democratic roots and had a very strong relationship with organized labor in Tarrant County. When you talk to people that are longtime employees at Lockheed Martin, at General Motors, at American Airlines, the things that he did with transportation, all of those things were very, very important for who he became.

In addition to that, he also learned a lot from some of the failures and mistakes that he made. He told me that his first term in the State legislature, that it was not easy, that he didn't get along with the speaker of the house in the State legislature.

When he was elected here, he wanted to make sure that he got along with Sam Rayburn when he was elected to Congress. He told me: Marc, I have learned my lesson from when I was in the State legislature, and I really wanted to be on the Foreign Affairs Committee because that was what was really happening back in the 1950s when I first got elected. With the cold war going on, I wanted to be on that committee. It was something very important to me. Speaker Rayburn put me on the Public Works Committee—which is now the Transportation and Infrastructure Committee.

He said, That ended up that was a mistake that I made because that committee ended up really making my career. It is hard to think that I would have become majority leader and Speaker of the House had I not been on the Public Works Committee—which is where Speaker Rayburn put him.

Again, in addition to being that strong, strong Democrat that he was, I can tell you that bipartisanship was

something that he was very fond of because he talked a lot after his career in Congress about how bipartisanship helped make this country strong and about how it helped make him a better Member of Congress.

If you go and look in the archives of the Star-Telegram from just a couple of months ago after he passed, you will notice the remarks that were given from a very bipartisan group of people in the Dallas/Fort Worth area. ROGER WILLIAMS, also from Fort Worth, he was quoted in the Star-Telegram; KAY GRANGER, former mayor of Fort Worth, was also quoted in the Star-Telegram—about how Speaker Wright did so many great things for Fort Worth.

One of the areas that he liked to talk about was the Voting Rights Act and how important voting rights were to him and also Eisenhower and the freeways. He told us a great story about how he and a few other Congressmen went to Eisenhower about getting the interstate highway bill passed and how President Eisenhower said, Let's get the votes; let's get it done—and how they came together in a bipartisan way in order to get that legislation done.

My favorite story that he told me about is the importance of bipartisanship. I asked him: Mr. Speaker, I am going to be a new Member of Congress, and so many people talk about how Congress is broken and they don't work together.

I said: Do you have any theories on why that is?

He said: That is a very good question. When I was in Congress, we spent a lot of time getting to know one another. We spent a lot more time in Congress than we do today.

He said: I want to tell you a story. One time, I told my daughter, I want you to go get a job—and this was before he was majority leader—I want you to go and get a job, and I do not want you to use my name. Whatever you do, do not use my name. She came home that evening and she said, Daddy, I found a job. He was like, Oh, great, where did you find a job? She said, I got a job in the minority leader's office.

Speaker Wright, a great storyteller that he was, he said: I just exploded, and I said, What, you got a job at the minority leader's office? Did you tell them who I was? She said, Dad, you told me not to use your name.

He said that he immediately picked up the phone; he called Gerald Ford up, and he said, Gerald, I need to apologize to you. I want you to know that my daughter has accepted a job in your office, and she is to report to your office first thing in the morning and apologize and say that she cannot accept the job.

He said that Gerald Ford said to him: Jim, if your daughter wants to work here, it won't be any problem at all.

He said: Marc, can you imagine that happening today?

It really stopped and gave me pause just about how much things have really, really changed.

Speaker Wright was an amazing person, a person of great wisdom, intelligence, humility. He would talk about how he lost the Senate race and it was fine for him to lose that special election for the U.S. Senate because things ended up working out for him in the U.S. House of Representatives. He could actually find humor even in something that was a big defeat for him.

I just wanted to thank him, and I am so thankful that our paths crossed and that he was such an influence to me and so many others. I can tell you that the city that I am from, Fort Worth, Texas, that the city is the great city that it is today because of the work and the statesmanship of Jim Wright.

His legacy continues to live on through so many others that continue to serve in Congress today that are in other positions in office and in business.

Mr. Speaker, I am just very, very grateful and very blessed that I knew Speaker James Claude "Jim" Wright.

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to honor the life and legacy of a great American and a great Texan, former Speaker of the House Jim Wright.

Speaker Wright served our nation over five decades, first as a B-24 bombardier in the Pacific during World War II, where he earned the Distinguished Flying Cross. Returning home to Texas, Speaker Wright was elected to the Texas State Legislature and then as Mayor of Weatherford.

In 1954, Jim Wright would be elected to Congress, where he would serve for the next 34 years, 10 years as Majority Leader, and Speaker of the House from 1987 to 1989.

In Congress, Jim Wright was known for his hard work on behalf of the 12th District, centered in Fort Worth, Texas. Through his work on the House Public Works Committee, then-Rep. Wright secured important improvements to the Trinity River flood control and the revival of the Fort Worth stockyards area and become an important advocate for the local defense industry.

As Speaker, Jim Wright guided the passage of significant legislation, including amendments to the Clean Water Act, the 1987 highway bill and expanded education benefits for military personnel.

After leaving Congress, Speaker Wright said that his biggest achievement was sponsoring the bipartisan peace accord between the Sandinista government and the contras in Nicaragua, which had been fighting for a decade.

Speaker Wright passed away on May 6, 2015, in his hometown of Fort Worth, at the age of 92. The passing of Speaker Wright is the end of an era in Texas politics. He was among the last of our great state's legislative giants, who learned his trade from fellow Texans, Lyndon Johnson and Sam Rayburn.

Speaker Wright was a leader dedicated to bettering our country, and he will be sorely and dearly missed by his family, friends, and this Congress.

FIFTH ANNIVERSARY OF DODD-FRANK ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 6, 2015, the gentleman from Texas (Mr. HENSARLING) is recognized for 60 minutes as the designee of the majority leader.

Mr. HENSARLING. Mr. Speaker, there are a number of us who are gathered for a very important discussion tonight regarding the fifth anniversary of the Dodd-Frank Act.

Before we do, there is another important anniversary that needs to be recognized in America today. For that, Mr. Speaker, I am happy to yield to the gentleman from Illinois (Mr. SHIMKUS).

65TH WEDDING ANNIVERSARY OF GENE AND KATHY SHIMKUS

Mr. SHIMKUS. Mr. Speaker, I rise today to give thanks to God and publicly celebrate the 65th wedding anniversary of my mom and dad, Gene and Kathy Shimkus.

Dad was raised by his grandparents, Charles Frederick and Dorothea Heinicke. He has been a lifetime member at Holy Cross Lutheran Church and School. Mom was raised in State Park, just down the road from Collinsville, by Harvey and Myrtle Mondy.

They are both graduates of Collinsville High School, dad in 1946 and mom in 1949. Dad started working for the telephone company in high school, and mom worked as a telephone operator.

Mom and dad got married on July 22, 1950, 65 years ago today. Dad was drafted during the Korean war and left for Korea. On August 3, 1951, their first child, Bill, was born. Dad returned from the war and continued to work for the telephone company and then various telephone companies as the industry changed. Using the GI Bill, he also received his associate's degree from Southern Illinois University Edwardsville.

Mom started her career and one that she has kept throughout known time as mother and now matriarch of the family. From here, the family grew as Dorothy, Joan, Helen, Jean, Jana, and I were born. The kids grew up to become a pastor, teacher, healthcare worker, CPA, and even a politician.

Bill now lives in the Northwest and is married to Bette. They have three children, Matthew, Maria, and Emily. Dorothy has two boys, Terry and Dusty. Joan is married to Bernie and has two children, Niki and Tim. Karen and I are married with sons David, Joshua, and Daniel. Helen is married to Pat and lives in Tennessee. They have two daughters, Jennifer and Katelyn. Jean has two sons, Adam and Gene, as well as a daughter, Elizabeth. Jana is married to Chris. There are nine great-grandchildren.

In an era where everything seems to be disposable, it is helpful and uplifting to see something that has lasted. For things to last, you have to work at it.

Thank you, Mom and Dad, for teaching us about life. We have survived the good and the bad and, for the most part, have done it united as a family. The Shimkus clan will celebrate this accomplishment through this weekend by just spending time together.

Our gathering culminates with attending church together on Sunday. We have much to be thankful for, but mostly for God's undeserved love in sending his son, Jesus, to die on the cross and rising again for our salvation.

Congratulations, Mom and Dad, and thank you for being the parents that you are.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the Special Order.

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

There was no objection.

Mr. HENSARLING. Mr. Speaker, before we get started, I just want to thank the gentleman from Illinois to remind us of what is truly important in life having much to do with our faith and our family, and I thank him for allowing us to be a part of that very special moment for him and his parents and his whole family tonight.

Now, to the topic of tonight, Mr. Speaker. This week marks the fifth anniversary of the passage of the Dodd-Frank Act, which was passed in the wake of the great financial crisis of 2008.

We were told at the time, Mr. Speaker, that it would lift our economy, end too big to fail, and promote financial stability. We now have 5 years of data; we have 5 years of experience. The evidence is overwhelming, Mr. Speaker: 5 years after the passage of Dodd-Frank, the big banks are bigger; the small banks are fewer; the taxpayer is poorer.

We will explore over the next hour, Mr. Speaker, all the different ways that regrettably, regardless of what good intentions might have been behind this 2,300-page bill—the most massive rewrite of our financial laws in America since the New Deal, 400-plus new rules that have been promulgated, only two-thirds of which—or not quite two-thirds have been finalized.

What this has done in many ways, Mr. Speaker, is to make the American people and our economy less stable, to make us less prosperous and, most importantly, Mr. Speaker—and most regrettably—how this law has made us less free.

We need to work together. House Republicans are working to ensure that every American has economic opportunity to climb the ladder of success, to pursue happiness, to achieve financial security.

Today, 5 years after Dodd-Frank, we have way too many low- and moderate-income Americans who lose sleep at night worrying about their meager paychecks, worrying about their shrinking bank accounts, and worrying about their children's future because, again, Mr. Speaker, Dodd-Frank has made us less stable, it has made us less prosperous, it has made us less free.

Mr. Speaker, I am joined by many Members of the House Financial Services Committee that I have the honor and responsibility to chair. I am so proud to call them colleagues and for their great work, to try to extend, again, economic opportunity and financial security to all Americans. They know firsthand how working men and women have suffered under this Dodd-Frank Act in these many years.

I want to start out yielding to the gentleman from New Jersey (Mr. GARRETT), who happens to be the chairman of the Capital Markets and Government Sponsored Enterprises Subcommittee.

He knows firsthand that in order to have the benefits of free enterprise, in order for small businesses to be capitalized, you have to have very vibrant and healthy capital markets.

Probably more so than anyone in Congress, he is most qualified to talk to us about what Dodd-Frank has done to our capital markets and what it has done to stability, what it has done to prosperity, and what it has done to freedom.

□ 1945

Mr. GARRETT. I thank the gentleman from Texas for holding this Special Order tonight.

Mr. Speaker, birthdays are usually a cause of celebration, but, this week we mark 5 years—the 5th birthday—of one of the most overreaching and damaging laws in recent memory that was heaved on our economy.

Now, when the Democratic majority passed Dodd-Frank, there were three big promises they made about this legislation, first, that the legislation would end too big to fail; second, that the legislation would protect consumers; and, third, that Dodd-Frank would make our economy more competitive.

Why don't we take a look at each one of those one by one and see how they have worked out so far.

Promise number one, Dodd-Frank will end too big to fail.

First, did Dodd-Frank really end too big to fail?

For starters, by just about every measure, the biggest banks today are even bigger than they were before the financial crisis while community banks and other small lenders continue to be shut out and shut down around the country.

In fact, according to recent statistics, the five largest banks in the Nation now control roughly half of all of the assets in our banking system. To put that in another perspective, that means that outside of these institutions it takes the collective assets of over 6,000 banks in order to equal the number of assets held by the five largest banks.

Moreover, the so-called resolution authority included in title II of Dodd-Frank is not, as our former colleague Barney Frank put it, a death panel for banks. It is, in fact, instead, a mecha-

nism for future bailouts enshrined now into the law.

This is not just a case of baseless accusations. One need only look at the actual text of Dodd-Frank to understand how it allows for big banks to be bailed out—by whom?—by you, the American taxpayer.

For example, Dodd-Frank gives the FDIC, the Federal Deposit Insurance Corporation, the authority to do two things, first, purchase the debt from the creditors of a failing institution at par or even above par and, two, pay any obligations of an institution that it believes are necessary and appropriate during that time of crisis.

Dodd-Frank, of course, also created the so-called FSOC. What is that? That is the Financial Stability Oversight Council, which during its current existence has done virtually nothing to enhance the stability of the financial market.

In fact, if you look at it through its systemically important designations of institutions, FSOC has gone in the other direction in that it has now put taxpayers on the hook not just for banks and bank bailouts, but for the potential bailout of nonbank institutions as well.

So a law that has made the big banks bigger, that has given regulators such a vast expansion of authority, and that has put taxpayers now at so much risk cannot conceivably be described as having ended too big to fail.

It is not just those on our side of the aisle who are skeptical of Dodd-Frank's claims. Here are two examples.

The GAO, in a January 2013 report, concluded that there "is no clear consensus on the extent to which, if at all, the Dodd-Frank Act will help reduce the probability or severity of a future crisis."

Cornelius Hurley, a former senior official at the Federal Reserve, stated recently, "If the whole purpose of Dodd-Frank was to eliminate the concept of too-big-to-fail and you judge it by that standard, then it's a failure."

So, by any objective measure, it is clear, I think, that they failed at promise number one.

Let's look now at promise number two, Dodd-Frank will protect consumers.

How has it protected consumers?

On this matter, it depends, in large part, on what you mean by consumer protection.

You see, the drafters of Dodd-Frank and many of my colleagues on the other side of the aisle believe that consumer protection involves complete bureaucratic control over the entire credit market, which gives a handful of individuals right here in Washington, D.C.—the bureaucrats—the ability to decide what kind of mortgage you want, what kind of credit card you are going to get, the kind of student loan Americans should have access to, and so on.

Hence, the creation of the unaccountable CFPB and the incredible amount

of authority now that they have been given is given to a single agency or, actually, to a single dictator there, if you will.

Real consumer protection doesn't involve unelected and unaccountable bureaucrats who make decisions on behalf of you, the American citizen. No.

Real consumer protection involves ensuring competitive credit markets and empowering the consumers to make their own choices based off of well-disclosed information in the marketplace. By this measure, Dodd-Frank and the CFPB have again failed miserably.

Take, for example, the CFPB's qualified mortgage rule, which became effective just last year. According to a study from the Federal Reserve Board, roughly one-quarter of Americans right now who obtained mortgages in 2010 would not have qualified for those mortgages that they did get under the QM rule, increasing the likelihood then that millions of Americans will find it harder in the future to actually qualify for a mortgage.

Moreover, the effect of QM is even more pronounced on certain segments of the economy, such as minority borrowers. The same Federal Reserve study noted that about one-third of both African Americans and Hispanic borrowers would have been ineligible to have gotten a mortgage under the QM loan.

Many of the Bureau's initiatives regarding credit cards and other loans will ultimately have the same effect, making it either impossible or too expensive for individuals who are starting businesses to draw on a line of credit.

So it is clear that, on promise number two, Dodd-Frank is not protecting consumers and that it is, in fact, harming consumers and making it harder for them with all of this red tape.

The next and final promise, number three, is that Dodd-Frank will make our economy more competitive:

The third promise, that it will make our economy more competitive, clearly has not come true. In fact, Dodd-Frank is a direct cause of the economic struggle that millions of Americans continue to face today.

For a minute, just take a look at the sheer breadth of regulation that has come out of Dodd-Frank. The law provides so much regulation that it is a burden on the economy.

The Davis Polk law firm performed a public service back in 2013 when it estimated at the time that, for every one word of text in Dodd-Frank, 42 words of regulations have been produced. Since that time, the number has even grown.

How can our economy possibly be more competitive today when such a huge number of complex and burdensome regulations have been implemented over the last 5 years?

We need to look no further than the growth of our economy to figure this out, which actually shrank during the first quarter of this year, another re-

minder that we remain mired in the weakest economic recovery since World War II.

So Dodd-Frank has actually served to weaken our economy, not to have strengthened it, and the millions of Americans who have experienced a weak job market and decreased opportunity are the ones that are feeling the pain of Dodd-Frank.

Since 2011, the Financial Services Committee, under the chairmanship of JEB HENSARLING from Texas, has led the charge to roll back some of the most damaging provisions of Dodd-Frank, and I commend the chairman and all of my colleagues on the committee for their continued efforts in this regard.

Unfortunately, it now appears that many of these efforts, which used to be bipartisan in nature, are running up against the rigid ideology which believes that Dodd-Frank was chiseled into stone and should never be changed.

I believe that their view is unsustainable as we continue to see evidence of the harm that Dodd-Frank is inflicting upon Americans, and hard-working Americans at that.

Our committee and this Congress must continue to do the important work that will make it easier for our fellow citizens to get a job, to obtain a credit card, to obtain a mortgage, and to create opportunities for themselves and their families.

Mr. HENSARLING. I thank the gentleman for his comments tonight, and I thank him for his leadership on our committee.

Again, Mr. Speaker, it is the unhappy occasion of the fifth anniversary of the signing of the Dodd-Frank Act, again, weighing in at 2,300 pages.

It is so sad to realize, as the gentleman from New Jersey pointed out, that so many of the promises that were made have not been kept and they have not been realized.

Again, the big banks are bigger, the small banks are fewer, and our hard-working constituents—many of them—are worse off. Many of them have stagnant paychecks. And so many of them have smaller bank accounts. What they have seen is free checking cut in half in America, and bank fees have gone up.

This is all because of the Dodd-Frank law putting an incredible mass of regulations upon our community banks and on our credit unions, those who serve our hard-working families and our small businesses. Regrettably, in so many different ways, we are less prosperous, we are less stable, and we are less free.

I was there 5 years ago, Mr. Speaker, at the conference committee. Republicans had an alternative. We had a bill that, frankly, was written and filed before the Democrat bill was, but there was no willingness to negotiate, no willingness to discuss, no willingness to compromise. So we ended up with Dodd-Frank, and the American people are poorer because of it.

Now, Mr. Speaker, I am very happy to yield to the gentleman from Illinois (Mr. HULTGREN), a very hard-working member of our committee, a gentleman who brings a lot of expertise to this committee on a number of matters, especially insurance, which is near and dear to the financial security of so many of our constituents, and I am happy to get his views on this anniversary of Dodd-Frank.

Mr. HULTGREN. Mr. Speaker, I rise today to mark 5 years of overly burdensome and costly banking regulations and a failed opportunity to address fundamental problems in our economy.

Leading up to 2008, a perfect storm of easy lending, pushed by Washington bureaucrats, coupled with a spider web of duplicative, conflicting, and nonsensical regulations, led to a complete breakdown of the housing market.

A lack of regulation was not the problem. In fact, regulation increased in the 10 years leading up to the crisis. Community banks were faced with determining which of several regulators to answer to first.

Small businesses faced ever-expanding compliance mandates, raising the cost of doing business. Yet, at the time, those in power seized on the opportunity to never let a serious crisis go to waste in order to reward regulators with much more authority.

The fundamental issues of the housing crisis were never addressed. Those who put in place the policies that encouraged risky borrowing and lending were never held accountable.

Instead, the Dodd-Frank Act doubled down on the misguided government policies that caused the crisis, doing nothing to stop another from happening in the future.

Dodd-Frank's vast expansion of regulatory authority has not helped lift the economy or helped Americans looking to pursue opportunities for themselves and their families.

It failed to end too big to fail. It failed to protect consumers who rely on the community banks in their local towns. It failed to help small businesses in search of funds to restart and rebuild. It failed to tackle much-needed housing reform. And it failed to protect Americans from a power-hungry, regulation-happy Federal Government that was bent on expanding its power.

Five years later, struggling families, struggling small businesses, and struggling community banks are the collateral damage of Dodd-Frank and its thriving Washington regulators.

The largest institutions have gotten larger. More than 500 community banks have failed. And the number of bank options available to consumers continues to decline due to crushing regulatory burdens. This disturbing trend must be reversed.

Regulation must not be one size fits all. Banking regulators should tailor regulations for community banks, those local financial institutions that partner with families and small businesses to help strengthen our communities.

Decreasing the regulatory burden will allow our Nation's financial institutions to devote more time to the needs of consumers instead of devoting more time to the whims of regulators like the CFPB. Decreasing the regulatory burden will allow local banks to create innovative financial products and services for the benefits of their customers.

Even as Dodd-Frank remains in effect, I and the Financial Services Committee will continue to stand up for Americans and stand against an overreaching Federal Government.

On this anniversary of the law, now is the time to recognize and to respond to Dodd-Frank's vast imperfections and to also pursue true housing reform that promotes responsible lending and borrowing.

Again, I thank Chairman HENSARLING for his great work, and I thank my colleagues on the Financial Services Committee.

Mr. HENSARLING. Once again, I thank the gentleman for his comments and for reminding us, yet again, that the narrative that the left has fostered is a false narrative.

Mr. Speaker, we were told that there was this massive deregulation that somehow led to all of these bad mortgages and that the world was blowing up. Yet, as the gentleman from Illinois pointed out, for 10 years, we have had increased regulation.

It has increased, I believe, by almost 20 percent more in regulations. You had Sarbanes-Oxley. You had FIRREA. You had FDICIA. We are very good at acronyms in Congress, but we had more and more regulation.

It wasn't deregulation that caused the crisis. It was dumb regulation. It was dumb regulation by the government that was incentivizing and cajoling and mandating financial institutions to loan money to people to buy homes that they couldn't afford to keep.

□ 2000

What a tragedy. What a tragedy to put somebody in a home they can't afford to keep. That is the cause. Fannie and Freddie at the epicenter, and the Dodd-Frank bill was totally silent on the issue—totally silent on the issue—and people suffered. People suffered.

I still remember my friends on the other side of the aisle said let's roll the dice a little on this affordable housing goal of Fannie and Freddie. Well, the dice got rolled, and the American people lost, and we had the great American financial crisis. Now they are doubling down. Even more regulatory burden dragging down our financial institutions, making us less stable, taking away our freedom and prosperity. That is just wrong. That is why we have to commit ourselves: No more. It is time that we have to replace this law. Five years later, it is obvious.

I yield to the gentleman from North Carolina (Mr. PITTENGER) to hear his views on Dodd-Frank as well.

Mr. PITTENGER. Mr. Chairman, thank you for your leadership on behalf of the American people to bring opportunity to them.

Mr. Speaker, I rise today on the fifth anniversary of the burdensome and overreaching Dodd-Frank Act. As I have built two businesses from scratch, I understand the risks and sacrifice and the hard work necessary to grow a business and create jobs.

Unfortunately, Dodd-Frank has made it incredibly difficult for American small businesses to raise capital, and for the first time in 35 years, small business deaths have outnumbered small business births. Dodd-Frank was supposed to protect the American people. Instead, it is hurting the economy and it is costing jobs, particularly low- and moderate-income families. Dodd-Frank is strangling the economy and job growth by creating a compliance nightmare of over 400 new rules and regulations.

I am not antiregulation, but the pendulum has swung too far. Unfortunately, Dodd-Frank goes overboard, fixing problems that don't exist and ignoring the root cause of the financial crisis, which was the government requirement for easy credit for those who were a credit risk.

We have all been told that Dodd-Frank ends too big to fail. This act did not end too big to fail. It glorified it into law and made middle-income paychecks almost \$12,000 less compared to the average postwar economic recovery. Five years later, our economy continues to sputter at a 2 percent growth rate while Washington bureaucrats continue to burden American businesses, those small enterprises, with never-ending regulations.

Dodd-Frank is deterring the entrepreneurship that has made this country great. Dodd-Frank is too big, and it has failed the American people.

Mr. HENSARLING. I thank the gentleman from North Carolina for his comments tonight. I thank him for his leadership on our committee, not only on dealing with Dodd-Frank, but dealing with the very serious issue of terrorist financing, where he serves as the vice chair of our task force on that subject.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. EMMER), the newest member of the House Committee on Financial Services. Although he is new to the committee, it didn't take him too long to figure out, by speaking to his constituents and speaking to his credit unions and community banks, that Dodd-Frank is not working, that Dodd-Frank is helping make this economy less stable and making the American people less prosperous and less free.

Mr. EMMER of Minnesota. Mr. Speaker, 5 years ago the President signed the Dodd-Frank legislation into law. The American people were told that Dodd-Frank would end Washington bailouts, protect consumers, and in the event of another perilous

economic situation, it would mitigate the impact and stabilize the financial industry and our economy.

As American families and businesses have now learned, Dodd-Frank does just the opposite. Dodd-Frank has actually codified the too big to fail mentality in Washington, harmed consumers, and will fail to sound the alarm before the next economic crisis.

I have talked with many people in the financial services industry about Dodd-Frank, and the theme I hear over and over again is that the regulatory burdens created by this law are harming their ability to offer affordable services to their clients, my constituents.

Since Dodd-Frank, approximately 1,500 community banks across the country have closed, and a recent study shows that Dodd-Frank has added 61 million hours of paperwork and more than \$24 billion in final rule costs to the financial industry. These costs are not borne by Wall Street executives but, rather, by working mothers, small-business owners, and retirees.

This body is not powerless. In fact, I am here with many of my colleagues tonight standing up for working families impacted by this flawed law. We should subject this Consumer Financial Protection Bureau and Financial Stability Oversight Council to congressional appropriations. We should establish a bipartisan commission to lead the CFPB and reduce regulation that is crippling our community banks and credit unions. By enacting common-sense reforms, businesses can grow, jobs will be created, and American workers can better provide for their families.

I also want to thank the 146 banks, 8 credit unions, and nearly 60,000 constituents in my district who provide vital financial services to Minnesotans despite the ever-growing regulatory burden from Washington.

Mr. HENSARLING. The gentleman is obviously a quick study, but it doesn't take long when you speak to your constituents to realize, again, they are still hurting in this limping economy.

When one looks at the President's economic program, it is really based on a couple major pillars. It is based on his healthcare program, ObamaCare, but it is also based on Dodd-Frank; and in many ways Dodd-Frank is to household finances what ObamaCare is to household health care, and it is harming low-income and working American families. It is hurting their ability to achieve greater levels of economic opportunity, greater levels of financial independence.

Mr. Speaker, we have an economy that is limping along at about 2 percent economic growth, when historically we know it has been at 3½ percent. The economy is underperforming by 40 percent, and one of the reasons is because of Dodd-Frank. You can ask any person who is out there—an entrepreneur, small-business person who is

helping create jobs—and they will tell you about this drag that the sheer weight, volume, complexity, and uncertainty of this tsunami of regulation is causing.

I am very happy, Mr. Speaker, that someone that we have on our committee is a businessperson who has a history of creating jobs in my native State of Texas. I yield to the gentleman from Texas (Mr. WILLIAMS) to give us his thoughts on Dodd-Frank as well.

Mr. WILLIAMS. Mr. Chairman, I want to thank you for your leadership.

Before I begin, I would just like to say, I am a small-business owner. I have owned my own business for 44 years. I have been through a lot. I have been through dollar gasoline; I have been through 20 percent interest, where I borrowed money; I have been through the slowdown in 1988; I have been through 9/11; and I must tell you, the economy that we are in now, Main Street America is hurting like I have never seen it hurt before. That is why I am up here to talk about this situation that we seem to honor tonight, Dodd-Frank.

I join the chairman and my other colleagues here tonight to speak on what I believe is one of the most impulsive, deceiving, and un-American pieces of legislation that has ever been passed through this body. What I am talking about is a 2,300-page law that has unfairly blanketed our entire financial system with more than 400 costly rules and regulations. Just as we have found out that the Affordable Care Act is not affordable, we are learning that Dodd-Frank Wall Street Reform and Consumer Protection Act doesn't do what its name suggests. I believe we probably need a government protection act.

Now, Dodd-Frank is hammering small town America as we have talked about, and I mean like I have never seen before in 44 years. Small town America, Main Street America is hurting. They are hurting with unnecessary but very expensive compliance measures that are hard to meet.

As a small-business owner, as I have said, of over 40 years, I can say firsthand that Dodd-Frank is driving Main Street job creators and community banks and credit unions out of business. Yesterday in our op-ed, Congressman RANDY NEUGEBAUER and I wrote that the American people were fooled into believing Dodd-Frank was necessary to ensure financial stability and prevent future market meltdowns. But instead of responsibly studying the root causes of the financial crisis, Democrats in Washington rushed to regulate.

In my home State of Texas, one of the healthiest economies in the Nation, 115 banks have closed their doors. These banks are far from the major financial institutions in New York. They are small town community lenders that cannot pull together resources to comply with Dodd-Frank. They are community banks and credit unions

that issue 51 percent of all business loans under \$1 million.

The crippling effects of Dodd-Frank have trickled down from the President's pen to local job creators who had nothing to do with the financial crisis. The costs have been passed along to them. It isn't right, and it is not fair. Dodd-Frank is another example of how this administration discourages growth. Under President Obama and his administration, the risk of running a business is no longer worth the possible reward, and that is a big problem.

This is America. Bad policies like Dodd-Frank are the product of lawmakers who have little to no business experience. They haven't worked on payrolls; they haven't met a payroll; they haven't counted inventory; they haven't met with employees that need personal help; they haven't put people to work; but they have done something: issue 153 new regulations, 87 compliance changes, and 59 annual adjustments to thresholds.

At what price, we ask. The Congressional Budget Office and the Government Accountability Office have both estimated that Dodd-Frank costs \$3 billion to implement and will result in nearly \$27 billion in private sector fees, assessments, and premiums. We simply can't afford this.

For this reason, I have introduced legislation that will loosen Dodd-Frank's choke hold on small businesses and Main Street America. The Community Financial Institution Exemption Act will require the Consumer Financial Protection Bureau to explain to Main Street lenders why they are not exempted from certain CFPB rules and regulations, as permitted.

My bill has the support of the Independent Bankers Association of Texas, the Texas Credit Union Association, the National Association of Federal Credit Unions, and the Credit Union National Association.

I ask all my colleagues to support my efforts. It is time we stopped punishing those who put their livelihoods on the line to realize the American Dream and not the American scheme.

In God we trust.

Mr. HENSARLING. I thank my friend and my fellow Texan for his comments and the perspective that he brings as somebody who has actually successfully created jobs in the Lone Star State. He can look around at the customers of his business and to his employees and see how they have lost their prosperity.

Mr. Speaker, we were told that when Dodd-Frank was passed that it would lift the economy. They had a great celebration and signing ceremony at the White House. It would lift the economy.

Well, so what do we discover 5 years later? What we discover is an economy that is limping along at 2 percent. And that is not just some vague statistic. That translates into millions of Americans who remain underemployed and unemployed in America.

If you ask the people who create the jobs what is the great challenge, one of the great challenges is this regulatory burden. The question is not so much regulation or deregulation; the question is whether we are going to have smart regulation or dumb regulation. Dumb regulation hurts low- and moderate-income Americans who are just trying to climb the ladder of success, who are seeking economic opportunity.

Had we just had the average recovery—the average recovery, Mr. Speaker—we would have 12.1 million more jobs in America today. The average working family would have an extra \$12,000 of income to take home in their pocket. That is just if we had the average recovery as opposed to this Obama recovery based upon Dodd-Frank as one of its pillars. We would have had 1.6 million more who could escape poverty. But, no, not the Obama economy. Dodd-Frank and the regulatory tsunami are keeping people down.

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We all hear about this. Regrettably, every Member of Congress still gets these letters. I had a letter from one of my constituents that said:

There are part-time jobs around my area, but always jobs with no benefits and less than 40 hours. My son is a disabled Iraqi Freedom combat veteran who has lost hope of a decent full-time job.

That is the kind of angst we hear, but House Republicans are committed to helping these people. One of the ways we have to do it is do something about Dodd-Frank.

I am very happy that I am joined by two other of my colleagues tonight, the gentleman from Michigan (Mr. HUIZENGA), who chairs our Monetary Policy and Trade Subcommittee, and the gentleman from Arizona (Mr. SCHWEIKERT), who has a lot of experience with municipal finance in Arizona.

I am happy first to yield to the gentleman from Michigan to get some of his perspectives on Dodd-Frank and how we are less stable, less prosperous, and less free.

Mr. HUIZENGA of Michigan. Mr. Chairman, I appreciate your leadership on this and so many other issues. I am going to have a couple of questions for you in a minute because I, like my colleague and friend from Arizona, wasn't here when Dodd-Frank was created. I like to say I wasn't here for the creation; I just have to live with the echo effects of it. I have to figure out what it means in this post Dodd-Frank world.

By the way, it has been mentioned tonight it was 2,300 pages. It sounds a little reminiscent to another bill that maybe they had to pass to find out what was in it. I think if it wasn't for ObamaCare—the Affordable Care Act—and that famous statement that was uttered about having to pass it to find out what is in it, this would be the poster child for that.

This would be the poster child for Federal Government overreach. It was

an agenda waiting for a crisis to come along.

Mr. HENSARLING. I was here 5 years ago, and it is funny and reminiscent that Senator Dodd, the coauthor of Dodd-Frank—the Dodd of Dodd-Frank—said at the time: “No one will know until this is actually in place how it works.”

He said this in 2012. Here we are, 5 years later, and we know how it works. We know it is a drag on the economy. We know that free checking has been cut in half. We know that bank fees have gone up. We know that we are losing a community bank and a credit union a day, mostly because of Dodd-Frank.

Mr. HUIZENGA of Michigan. Mr. Chairman, I have to disagree a little bit with you. We know that there is a tremendous amount of Dodd-Frank that we have seen play out, but this is something I am not sure everybody understands. They are still writing the rules; 5 years into it, we are still writing the rules. I don't think that was your intent at the time this was passed.

Mr. HENSARLING. It was never my intent to support the law in the first place. Under then-Ranking Member Spencer Bachus of Alabama, my predecessor, Republicans had put forward a different law, and it was about bankruptcy, as opposed to of bailouts. Instead, what Dodd-Frank did was codify bailouts into law.

It codified this whole concept of too-big-to-fail institutions. I believe there is not one financial institution in America that is too big to fail. The American financial system is too big to fail, but not one particular financial institution.

We offered a different law in the first place, which was totally ignored by the Democrats. At the time, they enjoyed a super majority; so we were left with this particular monstrosity that, again, is making the American people less prosperous.

I thank the gentleman, and maybe we can get a comment from the gentleman from Arizona.

Mr. SCHWEIKERT. One of the most painful things, Mr. Chairman, when I first got elected, I was blessed to be on the Financial Services Committee, and I spent that summer trying to read every word of the Dodd-Frank legislation.

What you learn is, even reading the legislation, you don't understand all it is going to do because it refers to this agency will make this rule set, this regulator will create this rule set—you start to realize that 2,300 pages is taller than I am—and it is still coming.

Mr. Chairman, what percentage of the rule set is finished so far?

Mr. HENSARLING. A little over 60 percent, 5 years later; but in some respects, nothing is finalized because, when we think about being less free, in many respects, Dodd-Frank isn't even a law. Dodd-Frank is a license to unelected, unaccountable Federal bu-

reaucrats to create discretionary results that they can change at their discretion.

Even the rules that are “finalized,” which is kind of a Washington term, you still don't have something that is predictable, that you can count on, and so it has led to all of these abuses.

When you think about the people who have run our VA, the people who did the rollout for ObamaCare—a healthcare system that people didn't want, they couldn't afford, and on a Web site that didn't work—all of a sudden, we are entrusting them to decide whether or not we can get a credit card, whether or not we can get a mortgage.

In that respect, no rule is particularly finalized.

Mr. SCHWEIKERT. I know Chairman HUIZENGA has actually taken a look at some of these things.

One of the other aspects that almost never gets discussed is that innovation is almost gone, the opportunity for what the next world is going to look like.

Think of this, when Apple Pay comes from a technology company and not one of our banking companies, you have got to understand what this law has done. It has basically stifled economic growth, but it has also stifled the very innovation that made our financial markets one of our engines of growth.

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. I want to relay a little experience I had just today. I was speaking in front of a group of European Parliament members, a few European business folks; and this question was brought up about trying to harmonize our financial services laws and trying to make sure that we are all kind of on the same page.

One of the members from a very liberal leftwing party was asking about Dodd-Frank and whether that is a path that they should pursue, and even she was dubious about that. Certainly, some of the other members from the European Parliament were seeing that this is a cautionary tale.

They know that they have been down a tough spot in Europe because they have seen such a lack of growth and innovation, and they are seeing that same thing happen here in the United States.

Mr. HENSARLING. I yield to the gentleman from Arizona.

Mr. SCHWEIKERT. Let's face it. There is a wonderful irony here. The system has great stress; horrible things happened. Let's turn to the very regulators who were in charge at that time and say: Let's double down with them.

Instead of taking a step backwards and understanding we live in the time of information and technology, where we could have used that sunshine to see into our markets, instead, we basically created a command and control regulatory system and handed it back to the same folks who screwed it up in the first place.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. Certainly, the gentleman from Arizona is not implying that they are not well intended.

Mr. HENSARLING. I yield to the gentleman from Arizona.

Mr. SCHWEIKERT. Well, think about this: How much reform has truly happened at Fannie and Freddie? Where are we at right now? I know the apologists on the left go out of their way to say don't blame the GSEs and their concentration risk and the cascade and the markets they built in subprime paper and don't blame the regulators who are supposed to be watching them.

Here we are, 5 years later, and in many ways, the folks who soaked themselves in gasoline are still there.

Mr. HUIZENGA of Michigan. It seems to me that part of our problem here is not intentions, but it is ability to execute. What we have done is we have replaced the private sector. We have replaced the innovators, the people that are getting stuff done in our economy.

We have replaced them with unelected bureaucrats who don't often know what the real world is like and how it operates. I think that has caused so many problems.

Mr. HENSARLING. It is a very important point because America has always been the land of the risk taker, the hard worker, the big dreamer, the entrepreneur. Now, what we are seeing in America today, because of Dodd-Frank and the Obama regulatory tsunami, is that we are having new business startups at their lowest level in over a generation. That means, increasingly, our garages are full of old cars, as opposed to new startups.

Economic growth is something that compounds. If you don't have economic growth and American families can't grow, again, they lose sleep at night worrying about how they are going to pay their bills, how they are going to cover their checks, what will their children's future be?

That is for those who still have checking accounts because another result of Dodd-Frank is that bank fees have gone up. As bank fees have gone up, the unbanked, lower- and moderate-income Americans, those ranks have grown. According to the FDIC, 9 million households don't have a checking or savings account; and that is because account fees are too high or unpredictable, most of this courtesy of Dodd-Frank.

Another way it hurts hard-working American families is this Orwellian-named Consumer Financial Protection Bureau, where there is now one national credit nanny, has come up with a rule called the qualified mortgage rule that the Federal Reserve says, once fully phased in, one-third of Black and Hispanic borrowers will find themselves disqualified for not meeting Washington's rigid one-size-fits-all debt-to-income requirements.

We are losing our entrepreneurs. We are losing our small businesses. Low- and moderate-income people are falling behind because Dodd-Frank didn't keep the promise of lifting the economy.

Mr. HUIZENGA of Michigan. If the chairman will yield, I have got a question for you—because I have had an experience in my time. This is my third term here in Congress, and I have had a little bit of an experience that was bothersome to me. I want to know if this matches your expectations as well.

You talked about this qualified mortgage. I have a piece of legislation called the Mortgage Choice Act, where rules that were written under the Dodd-Frank Act in an attempt to protect people from being gouged, I believe is actually doing the opposite.

In fact, it is not just me. It was a bipartisan group that got together and put this piece of legislation together that last Congress passed this House in this Chamber unanimously.

For the American people watching out there, yes, things actually pass unanimously here. You are not going to hear about that in the news a whole lot, but we actually can work together.

Now, there is one disturbing thing, though. It passed the House unanimously, went over to the Senate, and there was one particular Senator who put the brakes on it. Not to name any names, but she didn't want any changes to her baby, the Dodd-Frank Act.

We had to reintroduce the bill. As the chairman wells knows, we got it into committee again. Suddenly, it went from being unanimous to being a divisive issue. That was certainly not anything on our part because it was the exact same language, but people who had decided a year ago this was the exact way to go have decided, for political purposes, that it is now something that can't be touched, can't be altered, can't even be addressed, and I am sure the chairman has some thoughts as to whether that is working.

Mr. HENSARLING. I thank the gentleman for his, regrettably, accurate observation.

I try not to question the motives of my colleagues, but something is awry when something goes through the House unanimously, and then just in a matter of a weeks to a couple of months later, all of a sudden, it becomes a very divisive issue.

My fear is that the left hand doesn't always know what the far left hand is doing. The far left hand has decided that Dodd-Frank is sacred text, notwithstanding the fact that, 5 years later, we understand that free checking has been cut in half; 5 years later, we understand that bank fees are going up; 5 years later, we understand the ranks of the unbanked and the low- and moderate-income people who need to be able to have access to credit—when you need \$500 to repair your car to get to work on Monday, you need \$500 to repair your car to go to work on Monday.

Yet, for many, it is clear that Dodd-Frank has become a matter of brand protection, of ideology; and it really doesn't matter how many people suffer. That is so sad. I have strong thoughts on the matter, but I will sit down and reason in good faith and compromise policy in order to advance principles on behalf of the American people.

I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. Mr. Chairman, you just hit on the word "compromise." I think there are many of us that are looking to compromise.

I was disturbed—and I am curious to hear the thoughts of my colleague from Arizona as well about this—when we were sitting in committee and had a witness in front of us who characterized the Dodd-Frank Act as a compromise bill, it struck me that I guess maybe he is right. It was a compromise between Senator Dodd and Congressman Frank at the time, both Democrats, who didn't bother to get any input from the Republicans.

As you pointed out, Mr. Chairman, you actually had a bill. A compromise would have been to take parts of your bill and parts of their bills and marry them together. This isn't what happened, though, is it?

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Mr. HENSARLING. I thank the gentleman. Again, Republicans were frozen out. It was what Democrats wanted to do so they can own this particular bill that, again, is making America less stable. It makes it less stable because the big banks are bigger and the small banks are fewer.

Dodd-Frank has concentrated more financial assets in fewer institutions. It is a pillar of the President's economic program that is causing working families to have stagnant paychecks and lower bank accounts, that is, assuming they have a bank account, because the ranks of the unbanked has increased. It has made us less free.

We have one national consumer credit czar who decides now. It is Washington. Washington decides whether or not you can have a credit card. Washington decides whether or not you can have a mortgage. Washington now decides whether or not you can get a small business line of credit.

I haven't even talked about this thing called the Financial Stability Oversight Council that, for all intents and purposes, now has the ability to control huge swaths of our economy by defining vague terms and systemic risks.

Mr. SCHWEIKERT. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Arizona.

Mr. SCHWEIKERT. Thank you for the yield, Mr. Chairman.

You actually just hit on one of the wonderful ironies and one of the great difficulties we have in our discussions in our own committee.

First off, the regulation, the way Dodd-Frank is designed, it is designed

for the last problem. It is not forward-looking of what the future looks like. And then there is always the arrogance here in Washington of thinking we know what the future looks like.

But there is also a number of professionals in the industry and academia who are now writing about what they call concentration risks. What happens when you tell every bank that they can only hold certain assets? You now have a concentration risk. If something goes wrong in that asset category, the cascade effect is universal. This is now happening up and down our financial system.

In many ways, I can make you a powerful argument that the post-Dodd-Frank world is creating a banking system that ultimately is more fragile because of a contagion concentration risk.

Mr. HENSARLING. It is, in some respects, *deja vu* all over again. It is dangerous for government to have one view of risk—one view of risk. The regulators told all the banks that there was virtually no risk in mortgage-backed securities, no risk in sovereign debt, so you don't have to reserve practically any capital against those.

Think Fannie, Freddie, and Greek bonds, and it almost brought down the entire national financial system, and we are obviously repeating the same mistake. So I appreciate the gentleman from Arizona for his observation.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. I know we have probably got about 3 or 4 minutes before a quick hour has gone by here, but I go back to my intention here and the question I have got for the chairman.

Obviously, a lot of well-intentioned things. Were there some issues and problems, abuses? Absolutely. I was in the real estate industry myself, still am in construction. But the goal of having Dodd-Frank lift our economy, promote financial stability, end too big to fail, it certainly doesn't seem like that from the perspective that I am. And I think all the evidence is overwhelmingly that the answer is a resounding "no" on all counts.

I would love to hear the chairman's thoughts on that evidence.

Mr. HENSARLING. Well, before I do, Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore (Mr. BOST). The gentleman has 3 minutes remaining.

Mr. HENSARLING. Again, in many respects, I do believe the economy is more fragile. The good news is that more of our financial institutions are holding more capital. They are more liquid.

But what is ironic is the regulators, prior to Dodd-Frank, had all the regulatory authority they needed to have made these balance sheets even safer; yet there has been no effort on the part

of the administration, notwithstanding the good work of our committee, to do anything about Fannie and Freddie that were at the epicenter of the crisis.

Again, this whole government idea of putting people into homes that ultimately they cannot afford to keep, it is terrible for them. It is bad for the taxpayer. It is bad for the economy. We have to move to a sustainable housing system: sustainable for homeowners, sustainable for the economy, and certainly sustainable for taxpayers.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. I used to be a licensed Realtor, and I will never forget that time in the late nineties when I went to my first closing, where they slid a check, the closing agent slid a check across to the seller, as is expected. They are selling their home. Then they slid a check across to the buyer, and there was kind of a nervous laugh and a joke. "Well, we know you are probably going need to buy some furniture." That was the first time I personally witnessed someone borrowing more than what the house was actually worth. It is those kinds of decisions and that lack of risk, that lack of accountability, I think, that brought us to some of the areas.

I just wanted to relay that story of something that was just seared into my mind, and one I hope we never, ever repeat.

Mr. HENSARLING. I fear that, in many respects, the Obama administration is making the same mistakes, and that is why, again, we need the sustainable housing financial system.

But ultimately, what we are working for, as House Republicans, is to make sure that all Americans have greater economic opportunity, and that means competitive, innovative, and transparent financial markets. That means an economy that is fair and works for everyone. It means getting out of the bailout business once and for all. There ought to be bankruptcy for these financial institutions, not taxpayer bailouts.

We need all Americans to be able to climb the ladder of success, and that means they need access to bank accounts. They need to go back and have access to the free checking which they have lost under Dodd-Frank. We need community banks to prosper for our rural areas, for our inner cities.

All of that can happen yet again, but it all starts—it all starts—with having to replace Dodd-Frank, which is a clearly failed law 5 years later. It didn't meet its promises. We are less stable, we are less prosperous, and we are less free.

House Republicans are putting forth a different plan today, just as we did 5 years ago. The evidence is stark. The evidence is stark that the big banks are bigger, the small banks are fewer, and hard-working Americans are worse off.

I appreciate the time we have had with our colleagues. It is time to replace Dodd-Frank.

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

CONGRESSIONAL ETHIOPIAN AMERICAN CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from California (Mr. HONDA) for 30 minutes.

GENERAL LEAVE

Mr. HONDA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. HONDA. Mr. Speaker, I come to the floor today as the founder and co-chair of the Congressional Ethiopian American Caucus. This caucus was established to give a legislative voice to the specific concerns of the Ethiopian American community.

Founded in 2001, the caucus is comprised of Members who appreciate the critical relationship between Ethiopia and the U.S. and value the contributions of Ethiopian Americans to our Nation. Congressman JOHN GARAMENDI and I co-chair this caucus of nearly 20 Members of Congress.

President Obama's upcoming visit to Ethiopia on July 27, which is next Monday, will be the very first visit to this nation of 97 million people by a sitting American President.

Ethiopia has Africa's second largest population and is a nation with a rich, independent cultural history. And, by the way, Ethiopia is the only African country in that continent that has not ever been colonized.

It is a country of growing economic, humanitarian, and strategic importance to the United States. Accompanying these opportunities are many challenges that face Ethiopia today.

Situated at the center of the Horn of Africa, Ethiopia is located in an unstable region, making it a key ally of the United States in combating radical extremists in the region.

Ethiopia has a checkered humanitarian record, and the government must learn to embrace the voices of political dissent and promote basic human and civil rights.

I believe that President Obama's upcoming trip to Ethiopia provides a unique opportunity to promote respect for freedom of speech and press, in addition to supporting economic health, food security, and humanitarian development in Ethiopia.

The United States must aggressively support and encourage Ethiopia to embrace democracy and its hallmarks: free speech and a free and independent media.

With a base of young entrepreneurs, a large labor force, and a wealth of natural resources, Ethiopia has quickly become an important center of industry, agriculture, and technology. We must explore avenues for U.S. investment and partnerships with Ethiopia to further this growing economic partnership.

Here at home, Ethiopians in the U.S. provide us with a large pool of talent, education, and experience. If we are to draw lessons from U.S. relations with China, Vietnam, and India, we can see that engagement is an important tool in bringing about sustainable change.

The U.S. and Ethiopian Governments must work closely to engage private business and Ethiopians in the diaspora. If we have learned anything about Ethiopia and Ethiopians, it is to never discount the capacity for genius and resolve in the interest of their country and fellow countrymen.

I visited Ethiopia in 2005, and I left the country a changed man. The Ethiopian diaspora's generosity and forward vision continue to inspire me as a person and as a policymaker.

Numbering over a quarter of a million people across this country, the vibrant and fast-growing Ethiopian American community greatly contributes to the richness of American culture and strengthens our economy to help make our Nation competitive in the 21st century.

As I traveled around Ethiopia and met people from all walks of life who are bound by one truth, to control their own destiny, I was inspired more than ever to strengthening a long-established relationship between Ethiopia and the U.S. and become an effective voice to encourage lasting democratic, humanitarian, and security improvements and partnerships with our friend in the Horn of Africa.

As President Obama prepares for his upcoming trip to Africa in the coming days, many human rights groups are criticizing his visit to Ethiopia as one that props up and supports a repressive regime; a government that has been censoring and intimidating the media, and even imprisoning journalists who spoke out against the ruling Ethiopian party.

Since 2014, six privately owned media outlets have shut down due to government harassment of over two dozen journalists and bloggers who have faced criminal charges, and at least 30 others have fled the country to avoid arrest. More journalists are in jail in Ethiopia than anywhere else in Africa.

This crackdown and use of antiterrorism legislation to stifle political dissent in Ethiopia is absolutely unacceptable. The State Department has publicly and privately expressed concerns about Ethiopian restrictions on political and human rights. These issues present complicated diplomatic engagement and security cooperation scenarios.

Stability, security, and economic development are sustainable only with

the development of democratic values, and Ethiopia has a long road ahead to fully achieve these goals. But with our support and the support of the Ethiopian Caucus, we can help them move closer to those ideals.

Over the past month, in the run-up to President Obama's visit, the Ethiopian Government has released half a dozen journalists and bloggers who were being held on dubious charges. While this is a positive step, this does not forgive or cause us to overlook the restrictive and undemocratic pressures on the media in Ethiopia. The government's recent actions of good faith are not an achievement but, rather, they represent the first step in a long road towards the government demonstrating it can embrace a free and open democracy with a vibrant and free press.

I believe the U.S. can be most effective at championing human rights and democratic institutions in Ethiopia through engagement. The U.S. must build on Obama's historic visit and work harder to encourage positive change. As a partner, we can have frank conversations with the government and champion human rights and democratic principles.

Ethiopia is a young country in terms of democracy and, over time, we can help shape their maturing political system in a way that provides real choices for the people.

The Ethiopian Government needs to continue to uphold democratic principles and engagement while, at the same time, reconciling the need for security with the increasing opportunities to engage talented Ethiopians.

□ 2045

I stand with Amnesty International and call for the immediate and unconditional release of any and all remaining journalists and bloggers who remain in prison based on politically motivated convictions on terrorism charges.

As a friend to the people of Ethiopia, it is our responsibility to encourage President Desalegn's government to stick to this reform.

As the U.S. pursues closer economic and strategic relationships with Ethiopia, we must remain adamant that improvements to human rights and democratic institutions are a requirement to a successful partnership.

Ethiopia is a valuable partner in a critical region, from peacekeeping, to fighting al-Shabaab, to pursuing peace in South Sudan.

In recent years, the number of attacks performed by extremists across the Horn of Africa has been increasing. Ethiopia has been a vital partner and ally to confront extremism in the region.

U.S. national security is intertwined with countries like Ethiopia that are on the frontline of fighting terrorism. The threat posed to African countries posed by terrorism requires the support of the United States Government in helping build stability that will allow

democratic institutions to grow and flourish.

Ethiopia has historically been a key contributor to United Nations and African Union peacekeeping missions and, as the seat of the African Union, has taken an active role in trying to bring peace to the region and the continent.

To this end, Ethiopia gets nearly \$800 million a year in U.S. military assistance to fight the Somali Islamic group al-Shabaab, a group that is responsible for numerous attacks across the region.

As we invest hundreds of millions to combat this brutal extremist group, we must remember that military strength alone will not defeat extremism.

The only lasting solution is a comprehensive one that addresses the political and economic concerns of the region, one in which the rights of all religious and cultural groups are respected.

I encourage President Obama to work with the Ethiopian, Kenyan, and Somali Governments to find ways to address the underlying social and economic issues that are resulting in fertile grounds for extremist movements like al-Shabaab.

Ethiopia has undergone amazingly rapid economic growth in recent years and has made significant progress toward its Millennium Development Goals. The U.S. must continue to support Ethiopia's development goals and increase opportunities for U.S. businesses in the region.

Ethiopia has the fifth fastest growing economy of the 188 International Monetary Fund member countries. The Ethiopian economy has enjoyed strong economic growth, with average GDP growth over 10 percent in the past decade, double the average for sub-Saharan Africa.

This growth has largely been a result of government-led development policies with an emphasis on public investment, commercialization of agriculture, and nonfarm, private sector development.

As part of this growth, Ethiopia has prioritized infrastructure development. Ethiopia is investing heavily in physical infrastructure as part of its development strategy.

This includes the development and upgrading of the country's power, transport, and telecommunications facilities, with a brand-new railway network and the construction of a number of hydroelectric power stations. These investments will allow the country to continue to export power to neighboring countries.

Ethiopia has also proven to be a partner in renewable energy development. Their hydro programs are helping move Ethiopia to become a climate-resilient economy by 2025.

Ethiopia has the second highest hydropower-generating capacity in Africa and the continent's biggest wind farm.

These renewable resources have enabled Ethiopia to export electricity to

Kenya, Djibouti, and Sudan despite having limited hydrocarbon resources.

This incredible growth has not gone unnoticed by the rest of the world, and numerous developed nations, including China and India, are investing heavily in Ethiopia.

India is the biggest investor in land in Ethiopia, with Indian companies accounting for almost 70 percent of the land acquired by foreigners. The U.S. Government needs to do more to encourage American companies to invest in Ethiopia.

With the continent's second largest population, Ethiopia is a huge market for American companies and products.

Self-imposed congressional limitations on programs like OPIC, the Overseas Private Investment Corporations, are severely hindering U.S. investment into this economy. Self-imposed congressional limitations are severely hindering U.S. investment in this economy. We have to remember that.

According to figures from the World Bank and Ernst & Young, foreign direct investment into Ethiopia has risen more than tenfold in 7 years, from \$108 million in 2008 to \$1.2 billion in 2014, with \$1.5 billion projected for 2015.

A significant portion of this investment growth is represented by Chinese investment in Ethiopia ramping up. This includes a new \$200 million African Union headquarters financed by China, a \$300 million contract to expand the Addis Ababa airport, and construction of a reported \$2 billion factory for China's Huajian Corporation, which will employ 30,000 Ethiopians.

It is critical that the U.S. Government mobilizes private sector capital to address these development challenges or other countries will.

Despite all this economic growth, Ethiopia has significant challenges. Ethiopia's per capita GDP of \$505 is one of the world's lowest.

Though per capita GDP is on the rise—7.2 percent in 2014—it is still one of the poorest countries in the world, ranking 173 out of 187 countries on the Human Development Index.

Although Ethiopia is outperforming many sub-Saharan countries in poverty reduction, widespread malnutrition continues to haunt the nation.

Estimates suggest that the country loses around 16.5 percent of its GDP each year to the long-term effects of child malnutrition.

Dependency on agriculture—coffee, in particular—leaves the large rural population vulnerable to droughts, natural disasters, and other economic shocks.

Recent periods of rapid inflationary pressures and large refugee inflows from Eritrea and South Sudan further aggravate these trends. This has led to food prices rising 100 percent in 2011.

Ethiopia still relies heavily on aid to achieve its development goals. Ethiopia receives the most USAID assistance of any sub-Saharan African country, ranked seventh worldwide.

Even among other donors, Ethiopia remains the single largest recipient of

official development assistance in sub-Saharan Africa.

So Ethiopia has made progress towards reaching most of the Millennium Development Goals.

Together with government action and the largest social protection scheme in the region, Ethiopia has seen remarkable progress towards its development targets. Apart from the overall decline in poverty—reduced by 33 percent since 2000—positive gains have been made in terms of education, health, and reducing the prevalence of HIV/AIDS and fistula.

USAID development funds and programs are having a massive impact in Ethiopia in everything from nutrition, sustainability, food stability, health, and education. U.S. businesses and entrepreneurs also have a strong role to play in Ethiopia.

Organizations like the U.S.-Africa Diaspora Business Council focus on tapping into the large entrepreneurial Ethiopian and African diaspora populations in the U.S.

They help provide information, build capacity, and developmental infrastructure to assist American companies to build business footprints in Ethiopia and develop trade between the U.S. and Africa.

I would like to particularly highlight the budding benefit corporations that are producing a positive impact on society and the environment as well as making a profit.

Ethiopian diaspora-owned company Blessed Coffee, the nation's second benefit corporation, is established as a socially responsible business, focusing on trade in coffee growing regions as well as in communities in the U.S. where coffee is sold.

A symbiotic relationship will be one that not only benefits the American consumer but, also, the farmers in Ethiopia and the development of the region.

On a side note, I am not sure that it is well known, but according to DNA analysis, all coffee came from Ethiopia. So we can thank them for that.

I was proud to help reauthorize the African Growth and Opportunity Act last month, which paves the way for continued investment in Ethiopia and Africa through preferential duty-free treatment to U.S. imports of certain products.

This important bill incentivizes American companies to invest in industry and development programs in Africa and Ethiopia that provide products to the United States and jobs to the region.

As the Representative from Silicon Valley, I take special note of the large opportunities in high technology and Internet fields.

With just over 2 percent Internet penetration and 27 percent cellular phone subscriptions, Ethiopia has one of the lowest rates of Internet and mobile phone penetration in the world.

Persistent State interventions, including nationwide Internet filtering,

public sector monopoly over the telecom sector, and a relatively closed economy, have suppressed the growth of economic freedom over the past 5 years.

All of this points to an opportunity for the U.S. Government and companies to help Ethiopia modernize and open its markets to American tech companies.

In closing, let me just say that Ethiopia is a nation of growing importance and opportunity for the United States, a reality that is highlighted by President Obama's visit next week.

As one of the poorest countries, yet with one of the fastest growing economies and largest population in Africa, Ethiopia still represents enormous untapped potential for economic growth.

Ethiopia is a country where American companies can invest and bring jobs and development. It is critical that the U.S. Government seizes this opportunity for investment and mobilizes private sector capital to address the development challenges Ethiopia faces.

Additionally, the U.S. has an opportunity to help Ethiopia address the numerous humanitarian challenges it faces. The administration's Feed the Future initiative supports Ethiopia's food security strategy to reduce hunger, improve nutrition, and promote broad-based economic growth.

Ethiopia still has many serious unmet development needs in sectors like small-business lending, private education, health care, and access to electricity.

Healthy bilateral aid programs through USAID and development programs like Power Africa can help make significant improvements into the health and food security of millions of people in Ethiopia.

Notwithstanding Ethiopia's enormous development needs, we must secure ties within the country to reinforce its constructive collaboration with the U.S. on regional security issues in the Horn of Africa.

Ethiopia's ongoing strategic partnership with the United States in combating al-Shabaab and defeating extremism in the Horn of Africa is an opportunity for the United States to change the narrative in the region away from focusing solely on military solutions and, instead, focusing on a comprehensive approach that addresses the underlying social, economic, and political causes that fuel extremist groups.

Stability, security, and economic development are sustainable only with the development of democratic values.

Ethiopia is a young democracy where human rights and freedom of speech are not respected by the ruling government. The United States must take a strong position of standing with democratic institutions, such as free speech and open, fair, transparent elections.

The U.S. must build on Obama's historic visit and work harder to encourage positive change. As a partner, we can have frank conversations with

their government and champion human rights and democratic principles.

Ethiopia is a young country in terms of democracy, and over time we can help shape their maturing political system in a way that provides real choices for the people.

The Ethiopian diaspora here in the United States are the natural bridges and ambassadors and human resources to build and strengthen the economic, strategic, and humanitarian connections between our nations.

The future looks extremely bright for Ethiopia, and the United States has an opportunity to be a strong partner as it moves towards a wealthier, more secure, and more democratic future.

I am proud to be the co-chair of the Ethiopian American Caucus, where I can help give a legislative voice to the specific concerns of the Ethiopian American community and help the U.S. Government and diaspora build these important, necessary bridges to a brighter future.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of the strong relationship between the United States and Ethiopia. As a member of the Ethiopian American Caucus, I am proud to see our bilateral relationship grow.

As the United States continues to provide economic, humanitarian, and developmental assistance, Ethiopia continues to struggle with human rights issues and food insecurity. Next week, I will visit Ethiopia with President Barack Obama to highlight America's commitment to investing in Africa. I hope that with this visit, we can reinforce our commitment to improving public health, food security, and human rights in Ethiopia.

It is my hope that in Congress, we can follow the lead of the late former Congressman Mickey Leland, whose work to end hunger and poverty was world-changing. Congressman Leland helped to form the House Select Committee on World Hunger in 1984 which generated awareness within Congress regarding national and international hunger and prompted a bipartisan effort to find solutions to end hunger in the U.S. and around the world, particularly in Ethiopia and Sudan. Congressman Leland was killed in a plane crash in Ethiopia during a mission.

Since the African Growth and Opportunities Act was reauthorized earlier this summer, Ethiopia is eligible for preferential trade benefits. I hope to see our trade relationship grow as we work with Ethiopia to improve humanitarian conditions. I am proud to be a member of the Ethiopian American Caucus and I ask my colleagues to support the relationship between the U.S. and Ethiopia.

□ 2100

THE IRANIAN NUCLEAR AGREEMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 30 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, just a few days ago, the White House

formally transmitted to Congress the Iranian nuclear agreement. I am holding it here in my hand. And now there will be much discussion in Congress over the role of this legislative body regarding nuclear agreements, but I would like to remind my colleagues that a process is already in place for civil nuclear agreements. This Iran deal that we have in front of us includes sections about a civil nuclear cooperation with Iran.

Under current law, section 123 of the Atomic Energy Act specifies the conditions by which the United States should enter into a civil nuclear cooperation agreement with other countries. Parts of the terms determined by the 123 agreement is the cessation from enrichment or reprocessing, a term that is coined, Mr. Speaker, as the gold standard. But the Obama administration has taken the liberty to enter into 123 agreements without abiding by the gold standard.

Why should we hold different countries accountable for different terms when it comes to proliferation? We should be holding each country to the very strictest of standards to ensure maximum safeguards are in place.

This is why, Mr. Speaker, in the last Congress I reintroduced, alongside with my congressional colleague BRAD SHERMAN, a bill which reforms the Atomic Energy Act of 1954 to provide greater congressional oversight of nuclear agreements with foreign countries and to protect against the threat of nuclear proliferation. So when the President says that it is either this deal or we go to war, there is actually another option.

Let's not forget about the U.S.-Russia nuclear cooperation agreement, which was previously withdrawn by the Bush administration in 2008 because the President could not certify under the Iran, North Korea, Syria Non-proliferation Act that Russia was not providing nuclear, missile, and advanced conventional weapons to Iran. Yet, through this new deal with Iran, Iran can buy nuclear, missile, and advanced conventional weapons from the Russians.

Next on the list was the 123 agreement with Vietnam. I strongly opposed this agreement because it allowed Vietnam to enrich.

Next up, the pending U.S.-China nuclear cooperation agreement. Again, I opposed that agreement because it allows China to enrich.

So what kind of message are we sending to our allies, Mr. Speaker? Jordan and the UAE, some of our closest partners in the region, are not allowed to enrich based on their commitments to our 123 agreement, but bad actors such as Russia, China, and Vietnam, oh, they can enrich. It does not make much sense, Mr. Speaker.

Page 5, section 13—and I hope that our constituents read it—of the general provisions of the Iran nuclear agreement states that the P5+1 nations will “cooperate, as appropriate, in the field

of peaceful uses of nuclear energy and engage in mutually determined civil nuclear cooperation projects as detailed in Annex 3.”

So when we go to Annex 3, the situation becomes really scary. According to Annex 3, the P5+1 nations and Iran can cooperate on civil nuclear and scientific projects.

What does that mean? Oh, it spells it out, and it includes—listen to this—facilitation of Iran's acquisition of light water research and power reactors, for research, development, and testing; construction of new light water power reactors, including small- and medium-sized nuclear reactors; construction of state-of-the-art light water moderated multipurpose research reactors; supply of state-of-the-art instrumentation and control systems for the research and power reactors.

Oh, but the list keeps going.

Supply of nuclear simulation and software solutions with regard to these research and power reactors; on-the-job training on fuel management scenarios for these research and power nuclear reactors; and, last but not least, joint technical review of Iran's current nuclear reactors, upon the request by Iran, in order to upgrade current equipment and systems.

So, essentially, we will be helping Iran to modernize and upgrade their reactors. This is absolutely absurd—and dangerously absurd, Mr. Speaker. How could we ever expect any country to agree to the gold standard when they can point to the JCPOA and say they want the Iran standard? They don't want the gold standard. We want the Iran standard because that is what is going to be one of the lasting legacies of this weak and dangerous deal: we have obliterated any of our moral or legal standing to insist that other countries forgo their own enrichment programs.

No country's leaders in their right minds would ever agree to anything less than what we have allowed Iran to do; and now if we don't block this deal's implementation, Mr. Speaker, we are putting into motion a nuclear arms race that we will not be able to stop.

Mr. Speaker, one of the most egregious mistakes of this nuclear deal—which is saying something. It is a long list of bad things. This deal is chock-full egregious mistakes, but one of the worst is the lifting of U.S. sanctions on conventional weapons and ballistic missiles as well as the lifting of sanctions on Iran's central figures of its nuclear weapons program by the E.U. and the U.N.

Just last night, Mr. Speaker, The Wall Street Journal reported on the sanctions that are to be lifted on the Iranians and the institutions behind Iran's decades-long, covert, and illegal nuclear program. This doesn't even begin to touch on the issues of sanctions being lifted against Iran's Quds Force leaders and the IRGC, the very same people who are responsible for

carrying out and planning Iran's most deadly attacks and for supporting terror attacks across the world, the very same individuals, Mr. Speaker, who have American servicemembers' blood on their hands.

That is right. The administration and the P5+1 have agreed right there in Annex 1 and Annex 2 to remove these individuals and these entities from the U.N. and European sanctions list. How the administration can even begin to try to justify removing these people from these sanctions lists and these designations is beyond comprehension. In fact, it is a direct affront to every man or woman who has served in the U.S. Armed Forces and their friends, families, and loved ones.

The administration needs to explain—and I would like viewers to look at this poster—how Soleimani, the gentleman here in the middle, the head of Iran's Revolutionary Guard, the commander of the Quds Force, not only gets to get rid of these sanctions, but soon will get a boon to his coffers to increase his attacks against the U.S. and our interests.

But look at this rogues gallery. We are not done yet. How about General Vahidi? General Vahidi, this fine gentleman here, former Quds Force commander, Iranian defense minister, has been wanted by Interpol since 2007 for his role in the 1994 AMIA Jewish center bombing in Buenos Aires, Argentina. He will come off some of these sanctions lists, this gentleman responsible for the murder of innocent men, women, and children.

But as The Wall Street Journal article notes, we are actually going to be lifting the sanctions on the scientists and the individuals responsible for developing Iran's covert nuclear weapons program. Mr. Speaker, this will leave these individuals free to continue to work on the regime's nuclear program. But not only that, it will leave them free to proliferate their expertise and knowledge.

What we have here, Mr. Speaker, is that we essentially have agreed to lift the sanctions and designations on most of the key individuals on Iran's covert nuclear weapons program while, at the same time, allowing all of Iran's key components of its nuclear program to remain intact. How does that benefit our national security?

We have agreed to lift sanctions on the Iranian equivalent of A.Q. Khan, this gentleman here, the head of Iran's WMD program. A.Q. Khan, if you remember, Mr. Speaker, is the Pakistani nuclear physicist responsible for the proliferation network that helped Libya, North Korea, Iran, and China develop their nuclear programs. He is the equivalent of A.Q. Khan. The Iranian A.Q. Khan helped the regime in its attempt to develop a nuclear explosive device which the regime still refuses to come clean about to the International Atomic Energy Agency.

So look at this rogues gallery. We are not done.

Now the Iranian equivalent of A.Q. Khan will be likely taken off the designation list before the terms of this agreement is up, meaning that, by the time this deal expires, this Iranian, A.Q. Khan, will have had years to perfect his explosive device without repercussions.

This deal will also lift sanctions on the nuclear scientist named Abbasi-Davani. This fine gentleman here was the head of Iran's Atomic Energy Agency. Not only was this man once the head of the Atomic Energy Organization of Iran, but he was sanctioned by the U.N. Security Council, sanctioned by the U.N. for his work on both Iran's nuclear and ballistic missile program, which, by the way, just underscores the absurdity of the notion that Iran's nuclear program is for peaceful purposes. Only nations that intend on having a nuclear payload develop ballistic missiles, and this man was involved in both. Yet he too will be removed from U.N. sanctions before this agreement expires, leaving him several years to continue his work without any international scrutiny.

But we have one more fine gentleman to point out, Mr. Speaker, as if that weren't enough. German engineer Gerhard Wisser, right over here, is a collaborating German scientist. He was an individual who was convicted and imprisoned in South Africa for his involvement in the A.Q. Khan network and who has facilitated the sale of nuclear equipment to North Korea, to Iran, and to Libya. He will be delisted, as well.

On top of all of this, Iran's organization involved in spearheading its nuclear weapons research will be removed from the U.S. sanctions list, despite its long record of noncompliance with the International Atomic Energy Agency.

All I see in this agreement, Mr. Speaker, is a path to the Iranian bomb and not the prevention of one, as the administration claimed was the objective. Any way you slice it, Mr. Speaker, Iran will be a nuclear weapons state within a decade or so, and these individuals will be free to harm our international interests.

Even if the U.N. Security Council opts to reimpose sanctions on the regime, Iran has built into the agreement that this would be a violation of the agreement. Listen to that, Mr. Speaker. If the U.N. Security Council opts to reimpose sanctions, Iran has in this deal a stipulation that this would be a violation of the agreement, and then it can simply snap back its own nuclear program. That is the only snapback that is involved, Iran snapping back its own nuclear program. And now it will be free of all the burdens of sanctions. It will have its entire infrastructure—complete with the added benefit of U.S. assistance in modernizing its equipment, in advancing certain aspects of it—as well as the key individuals involved and responsible for advancing the program ready and able to produce a nuclear weapon without any problems whatsoever.

Mr. Speaker, if Congress approves this deal, we are guaranteeing that Iran becomes a nuclear weapons state, and we are giving away every bit of leverage that we have against this rogue regime. This deal isn't going to avert a war. It might very well precipitate one. Our only real option for peace and a nuclear-free Middle East is to insist on a better deal.

Mr. Speaker, we must back that up with tougher sanctions, not a promise to lift sanctions on some of the world's most dangerous individuals. How can we say, Mr. Speaker, that this nuclear deal is anything but a bad deal when it doesn't meet the benchmarks of the U.N. Security Council Resolutions or even the President's own benchmarks from 2013?

□ 2115

Iran was in violation of every one of those resolutions; yet, just 2 days ago, the administration and the rest of the P5+1 went to the U.N. Security Council to bind ourselves to lifting the resolutions, even though the Iranian regime never complied with a single one—six resolutions violated.

Each of those resolutions confirmed that Iran was not in compliance with the International Atomic Energy Agency, had not halted enrichment, had not stopped reprocessing, had not halted developing nuclear technology, and had not stopped its ballistic missile program.

Iran has never met a U.N. Security Council resolution that it didn't violate; yet here we are, pretending that Iran has somehow complied with the international community and can be trusted this time to live up to its obligation under international law.

Let's just take a look at what each of those resolutions required from Iran and what we are no longer requiring Iran to do as a result of this disastrous deal.

Mr. Speaker, I will start with U.N. Security Council Resolution 1696, implemented on July 13, 2006. It demands that Iran suspend all enrichment related and reprocessing activities, which would be verified by the International Atomic Energy Agency after Iran's noncompliance with the IAEA for over 3 years.

It gave Iran 1 month to comply with the IAEA or face the possibility of economic and diplomatic sanctions. It endorsed the diplomatic solution, specifically a P5+1 proposal from 2006 for a long-term, comprehensive agreement to determine the exclusively peaceful nature of Iran's nuclear program.

It called upon states to exercise vigilance to prevent the transfer of any item, materials, goods, and technology that could contribute to Iran's enrichment and reprocessing activities and ballistic missile program. Iran did not comply.

U.N. Security Council Resolution 1737 passed on December 23rd, 2006, it imposed sanctions on Iran for failing to halt uranium enrichment as stipulated

in United Nations Security Council Resolution 1696 that I just spoke about.

It reaffirms that Iran shall, without further delay, suspend all enrichment related and reprocessing activities, including research and development to be verified by the IAEA and work on all heavy water-related projects, including the construction of a research reactor, moderated by heavy water.

The resolution further imposed sanctions on that country, blocking the import or export of sensitive nuclear material and equipment and freezing the financial assets of persons and entities supporting its proliferation-sensitive nuclear activities or the development of nuclear weapons delivery systems.

Also, this resolution established a new committee comprised of all council members to monitor the implementation of the present text and designate further individuals or entities to which the sanctions should apply. I bet Iran was really worried about that new committee.

How about this resolution, U.N. Security Council Resolution 1747, adopted on March 24, 2007? It widened the scope of the previous resolution by banning Iran's arms exports, arms embargo, prohibits transfers to Iran of nuclear, missile, and dual-use items, exports from Iran of arms or WMD useful technology.

It reaffirmed previous positions on Iran's nuclear program, including the suspension of all enrichment activity. It sanctioned additional individual and entities. How many more people could we put on that list?

How about another resolution? U.N. Security Council Resolution 1803, adopted on March 3, 2008, it approved a new round of sanctions against Iran for refusing to suspend nuclear projects and activities.

It reaffirmed all previous resolutions and demanded that Iran cease all enrichment and reprocessing and ballistic missile related activity. It required countries to inspect suspected cargo to and from Iran, extended the freezing of financial assets to persons or entities supporting Iran's nuclear-related programs or activities. It called upon countries to monitor activities of Iranian banks. It imposed travel restrictions on sanctioned individuals.

How about U.N. Security Council Resolution 1835, adopted on September 27, 2008? It reaffirmed all previous resolutions. It reports that it found conclusively that Iran is continuing to develop its nuclear program.

I bet that was a surprise. It found that Iran was making progress on developing and operating its centrifuges and continued to deliberately block and stonewall. It called on Iran to comply with obligations fully and without delay.

Remember, these resolutions are gone now, Mr. Speaker.

U.N. Security Council Resolution 1929 adopted on June 9, 2010, it reaffirmed all previous resolutions. It prohibited Iran from investing abroad

in uranium mining, related nuclear technologies, or nuclear capable ballistic missile technology.

It prohibited Iran from launching ballistic missiles, including on its own territory. It required Iran to refrain from any development of ballistic missiles that are nuclear capable.

It mandated that countries not export major combat systems to Iran, but does not bar sales of missiles that are not on the U.N. Register of Conventional Arms. It called on the vigilance of international lending to Iran, providing trade credits and other financing.

It called on countries to inspect cargoes carried by Iran air cargo and Islamic Republic of Iran shipping lines or by any ship in national or international waters, if there are indications that they are carrying cargo banned for carriage to Iran.

Searches in international waters would require concurrence of the country where the ship is registered, but it could happen. It froze the assets of Iranian persons and entities named in annexes to the resolutions and required that countries ban the travel of named Iranians.

That was back in the day, Mr. Speaker; yet here we are today, 2 days after the administration went around Congress to bind the United States to a U.N. Security Council resolution that will lift all of those resolutions. You see all of those resolutions; we just ripped them up, no longer needed. We did not achieve a single thing that those previous six resolutions called for.

Now, to make matters worse, Mr. Speaker, the P5+1 countries will honor their obligations on this new U.N. Security Council resolution, while the Iranian regime laughs at us all the way to the bomb.

Iran has never felt compelled to honor its international obligations; and now, we are just supposed to expect it to fully comply with this? A zebra can't change its stripes, and this Iranian regime will never feel obligated to abide by this new international agreement.

Why tie our hands like this, Mr. Speaker? This is a bad and dangerous nuclear deal. I would urge my colleagues to reject it.

There has been a lot of talk, Mr. Speaker, about these anytime, anywhere inspections. I think it is important for us to examine what this agreement actually says about anytime, anywhere.

If the IAEA has concerns regarding undeclared nuclear materials or activities, they can request clarification from Iran. They request clarification from Iran, Oh, please explain to us. If Iran's clarification does not satisfy the IAEA, then the IAEA can request access to such locations—request.

If the two sides are unable to reach satisfactory arrangements within 14 days of the IAEA's original request—look at the timeline, Mr. Speaker—

then the joint commission would advise on how to resolve that issue within an additional 7 days; then Iran will have another 3 days to implement such a decision.

Can you keep up with me, ladies and gentlemen? Do the math. Iran actually has 24 days to stall or hide any undeclared nuclear material.

Is that the definition now of anytime, anywhere inspections, Mr. Speaker? I don't think so, and Iran's Defense Minister doesn't think so either. Why do I say that? Just 2 days ago, he said that the IAEA would not be allowed to inspect any of Iran's military sites.

They have been saying over and over again—the Supreme Leader has said the same thing multiple times—Iran will not let foreigners inspect any military center or interview its nuclear scientists.

On top of that, Iran's Foreign Minister and chief negotiator said, just yesterday, that Iran has secured the so-called right to deny the IAEA access to its nuclear sites for inspections.

Iran has also banned American nuclear inspectors from entering any nuclear site or participating on any International Atomic Energy Agency inspection team. No American can participate.

Let's just say, for argument's sake, that Iran is caught cheating, as unlikely as that might be—and I am being facetious obviously—what happens then? Well, it says it right here. It is very clear. The deal states that, if the countries believe that Iran is not meeting its commitment under this agreement, they can refer the issue to the joint commission.

The commission would have 15 days or longer to resolve the issue; then the issue can be referred to the ministers of foreign affairs if the commission could not resolve the issue. That is another 15 days for the ministers, Mr. Speaker.

Let's do the math. We are already up to 30 days at the minimum. Then the compliance participant could request that the issue be considered to the advisory board, which will have another 15 days to issue a nonbinding opinion.

If it is not resolved during this process and the U.N. Security Council gets notified, by the end, another 2 months or so would have passed and given Iran enough time to lobby Russia, China, and the rest of the P5+1 to vote with them so that sanctions are not reimposed.

Remember, Mr. Speaker, sanctions will only be reimposed in the event of a significant nonperformance by Iran. The key word there is "significant."

What does the U.S. consider significant violations? What do the Europeans consider significant violations? What does China consider it? What does Russia and Iran, itself, consider significant violations?

Iran can prevent from sanctions being reimposed, as long as they cheat only in small increments and not significantly. If they just cheat a little bit, they can get away with it.

Additionally, the JCPOA explicitly states: "Iran has stated that if sanctions are reinstated in whole or in part, Iran will treat that as grounds to cease performing its commitment under this JCPOA in whole or in part."

Iran is saying: If you put sanctions on us, we don't have to continue with this agreement.

I am not making it up. That is a quote. Even if Iran is caught cheating and we move to reimpose sanctions, as we are entitled to do under the JCPOA, Iran is actually entitled to walk away from the deal.

In conclusion, Mr. Speaker, I feel that Iran will use this as its trump card to bully the P5+1 into not addressing violations or holding Iran accountable for its cheating. Even though the United States has the ability to veto a Security Council vote, choosing not to reimpose sanctions and hold Iran accountable, we must, again, remember that such a veto would unravel this deal, reapply sanctions, and allow Iran to claim it can walk away.

Finally, an effective sanctions regime against Iran that was established over many years cannot be easily re-applied. The idea of snapback sanctions is simply not viable.

Mr. Speaker, I could go on and on about all of the loopholes in this deal. Suffice it to say, we can do better than this. We must do better than this. We owe it to our children and our grandchildren to do better than this.

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

□ 2130

THE IRAN DEAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I both applaud and appreciate the comments by my colleague, a person I love being a colleague with, Ms. ILEANA ROS-LEHTINEN. These are profound points, excellent points, she has been making about the so-called Iran deal.

What is shocking to me—and I got this copy that a friend was using, but the pages aren't numbered. By the way, Mr. Speaker, when Secretary Kerry came to the Hill today—in having been through briefings by our Secretary previously—I knew that the best use of my time would be in going and reading the deal for myself, which is what I did.

It was interesting. I know that we have been assured over and over publicly that this is such a great deal, that this is what is going to really save the world from the Iranians having a nuclear deal, but there are some very troubling things that I haven't heard anybody mention about this agreement.

Actually, there is a report that there is an outside deal that has to be arranged by the IAEA with Iran in order

to have a complete deal, which is that the IAEA is going to have to work out terms—conditions—of its examination of some of the nuclear facilities in Iran. That is deeply troubling.

Here is a story by Joel Gehrke from July 21, entitled “House Republican: Obama Administration Won’t Release Full Iran Deal to Congress.”

It reads:

“Senator TOM COTTON and Representative MIKE POMPEO, who serves on the House Intelligence Committee, learned of the arrangement while meeting with the IAEA in Vienna, Austria, last week. ‘That we are only now discovering that parts of this dangerous agreement are being kept secret begs the question of what other elements may also be secret and entirely free from public scrutiny.’”

Meeting with the IAEA is something that I have done in the last year and a half, but because of the ban by our Speaker on my being able to travel because I was hoping to have a different Speaker, I am not able to visit anymore in a room with the IAEA in their office in Vienna. That was immensely helpful to do in the job.

As one of the Speaker’s folks mentioned, they see taxpayer-funded travel as a reward, and I haven’t earned their giving away taxpayer-funded travel. Apparently, that is something you earn by voting like you are told to. In any event, I am glad that MIKE POMPEO and Senator TOM COTTON have been over there and have met with them.

There is just so much about this deal that stinks to high heaven, especially when you see it today, in that, apparently, in the last year or so, there must have been approval for an exception to the sanctions on Iran to allow Iran to have 13 metric tons of pure gold shipped to it from South Africa.

Then we find out today that, actually, the U.S. was releasing \$4.2 billion to Iran, apparently in return, paying them to sit down and negotiate further.

Mr. Speaker, I will tell you that our allies have got to be really miffed as they find out more and more about the way this administration operates.

If you are our friend, we are going to cut deals with your enemy that create a real issue as to whether or not you may exist in the future. But if you are our enemy, we will pay you just to sit down and negotiate with us.

We will allow you to get gold shipped to you from 13 metric tons. There is no telling how much grief those 13 metric tons of gold have cost the U.S. I wonder how many American lives have had their demise contributed to because of the gold.

How many Jews or Christians around the world have lost their lives as a result of this administration’s paying the world’s leading sponsor of terror all of this money, apparently, just to sit down with them and releasing all of this money in the past just to get them to come to the table? We don’t do that with our friends. We don’t pay them to sit down with us.

We have already seen this in the attempted dealings with the Taliban. Mr. Speaker, it has not been that many years ago. It has been since I have been in Congress that this administration was reaching out to the Taliban, which has killed so many Americans and continues to kill Americans.

In fact, under Commander in Chief George W. Bush, we lost—I believe it was—about 560 precious military American lives in Afghanistan in that entire 7½ years—about 7¼ years, actually.

This President has only been in office 6½ years, and under his command—his rules of engagement that cripple our military’s ability to defend themselves—under this administration and this Commander in Chief’s rules, there have been over three times that many lost American, precious, military lives.

With this President being in command of three times the number of lost American military lives in Afghanistan, this administration’s approach couldn’t learn anything from the Bush administration’s mistakes and successes.

Instead, it decided to reach out. There are all kinds of reports of their reaching out their offers. “Look, Taliban. If you will just sit down—no preconditions. If you will just agree to sit down with us, we will be releasing murderers you want released from Guantanamo or anywhere else. Not only that, we will buy you luxurious offices in Qatar—or wherever you say—just to sit down with us.”

Our enemies have really learned how to deal with this administration. Our friends have got to be scratching their heads, those who still have their heads. Therein lies another tragedy.

In this agreement, until I can be sure that the parts I read have been released publicly—and that is why I was asking for this copy of the agreement. It is a different format from what I was reading earlier today.

As a judge, as a chief justice, even as a lawyer who has taken on the world’s largest oil company—I did years ago successfully—and as a lawyer who has taken on some pretty unbelievable efforts, words mean a lot when I am reading through things.

There is one word that particularly catches my attention, and that is the little two-letter disjunctive word “or.” Until I can be sure that what I had read has been released—it should be. There is no reason that this agreement should not be public so everyone can read it.

To those folks out there who are saying, “Hey, it is a 10-year deal. It will keep Iran from having nuclear weapons for 10 years. Even though it may come back and have a nuclear weapon within a month, 2 months, 3 months after the 10 years, at least it will keep them tied up for 10 years.” I would encourage anybody who has access to the actual agreement to look at any years mentioned—8, 10, whatever it is—and then see if there is that little two-letter disjunctive word “or” and then see if

there is a provision for a shorter time than 10 years or a shorter time than 8 years to develop intercontinental ballistic missiles.

These are things I have seen publicly, but I think it is critical. What kind of time or length of time of this deal are we looking at?

If there is this disjunctive little word “or” anywhere after any time that this deal will last, we need to know how long that other provision might be that would be shorter than 10 years.

If that provision, if such exists, puts the hands of how long this deal will last completely out of the United States’ hands, completely out of the P5+1, then that alone makes this deal a “no” deal. It is outrageous that anything but a hard timeline could exist in such a deal.

There is a story from July 16 by James Jay Carafano. The first paragraph reads:

“Once a major diplomatic agreement is inked, the world typically reacts by holding its breath, waiting to see if it will all turn out all right. Some deals, like the Munich Pact, crumble quickly. Others, like the Camp David Accords, hang in there; but rarely has there been a deal like the one reached in Vienna last night—a deal in which all the nations most closely affected by it, including Iran, pretty much start out knowing it won’t end well.”

Here, Mr. Speaker, I would like to point out that, as absolutely atrocious as the Clinton-Albright-Wendy Sherman deal with North Korea was, at least South Korea and Japan were involved and present for the talks, because our allies Japan and South Korea were the ones most affected by any deal that the United States cut with North Korea.

Now, it was an outrageous agreement. I mean, I was just a district judge at the time, but I knew, clearly, from history and from current events, that it was a deal that said, “Here, North Korea. We will help you build nuclear reactors, which will give you nuclear material to make sure you have got what you need. All we ask in return, basically, is that you promise that you will never use any of this stuff to create nuclear weapons.”

□ 2145

Of course, North Korea jumped on that deal—different from here, though. The number one most affected country by this deal is our dear friend Israel.

Well, this President and all his minions could not get Prime Minister Netanyahu defeated and out of office, as they tried to do. This administration has tried to punish Israel different ways, and those in the administration who really do want to punish Israel, that don’t like Israel, they have got to be smiling over this deal because it is absolutely unconscionable what has been done in the deal as it affects the future of Israel. It is just incredible that we could allow this.

Then Saudi Arabia, right there in the vicinity, they certainly understand

what a bad deal this is. As we understand it, they are already making clear they are going to have to have a nuclear weapon. Egypt is going to need a nuclear weapon.

This deal makes clear that Iran is going to have nuclear weapons in at least 10 years; 10 years, 2 months, whatever anybody wants to say, or out of my concern, possibly much sooner than that legally under the deal, even if it were ratified by the Senate. This is of tremendous concern.

This is what the entire world, except for the most evil perpetrators in it, has worried most about, a point in world history where there is massive proliferation of nuclear weapons.

It won't do much good to return a Nobel Peace Prize after a President causes nuclear proliferation that leads ultimately to the loss of millions of lives and rampant destruction around the world and, certainly, in the Middle East.

We have got all these folks worried about climate change, and here we are, on the brink of 10 years, at the most, before the most terroristic evil nation—well, the nation is not evil, their leaders are—the most evil leaders in the world have their hands on nuclear weapons that will kill millions of people.

It won't do much good for all those who lose their lives in a horrible flash if the President sends back his Nobel Peace Prize as being the cause of that.

That is why it is so important that we stop this deal. I don't have any belief at all that anybody in this administration wants the world to go up, after nuclear proliferation, in one big mushroom cloud.

I don't believe that; I know that is not true, but that is what their actions—if not stopped by Senators and House Members, that is what is going to happen.

This is not just me saying so. Dr. Carafano says: "The whole neighborhood will race to go nuclear. The number one concern with the way this deal was structured was that it was bound to accelerate nuclear proliferation. Iran has violated its obligations under the Nuclear Nonproliferation Treaty and repeatedly thumbed its nose at oversight from the International Atomic Energy Agency, the IAEA. Yet it winds up getting a great deal under the agreement—better, in fact, than the deal the United States gives its friends and allies, through the 123 civil nuclear agreements. If regional powers like Turkey, Egypt, and Saudi Arabia believe that the likelihood of Iran getting a weapon is undiminished and the penalty for becoming a nuclear breakout power is plummeting, then the deterrent for them to cross the nuclear threshold drops as well.

"Tehran gets to keep its vast nuclear infrastructure and its missile program."

It goes on to talk about that.

"Sanctions relief will make the region far less safe."

"The deal is temporary, by design."

I tell you, Mr. Speaker, we hear from our friends in the U.S. Chamber of Commerce, our local chambers of commerce, at least, about how normally to calculate economic impact of \$1 being spent somewhere, you have to multiply it times seven because that dollar gets spent again and spent again and spent again.

I would submit that, with this deal with Iran, the most evil leaders in the world, the \$100 billion to \$150 billion that this administration makes sure they have can't just be limited by \$100 billion to \$150 billion when it comes to the calculation of evil that will result from that money.

We can be sure that, since Iran sponsors terrorism around the world, that it will spend a lot of that money creating terrorism with other terrorists and with other evil people; and those evil people will then be able to take the billions of dollars they get from Iran and spend that for their evil purposes with other evil people.

You may be looking at, really, a trillion dollars by the time all of that money gets spent when you look at it as chambers of commerce normally do. The potential for evil, for the \$100 billion to \$150 billion going to an unrepentant sponsor of world terrorism, is really dramatic.

It is just incredible that this is happening on anybody's watch; Republican, Democrat, it doesn't matter. It is incredible.

Here is an article by Sarah Wheaton, July 21st: "In both a muscular speech to the Veterans of Foreign Wars in Pittsburgh and a taping of 'The Daily Show with Jon Stewart,' Obama cast critics of his diplomacy as the same kind of misguided warmongers who pushed for the invasion of Iraq during George W. Bush's Presidency."

I guess that includes Hillary Clinton; John Kerry, I think he may have been on board with that.

The article says: "'We're hearing the echoes of some of those same policies and mindset that failed us in the past,' Obama said in Pittsburgh. His loudest critics, he added, are 'the same folks who were so quick to go to war in Iraq and said it would take a few months.'"

Well, it is interesting to me that our President reserves making his case for the Iran deal for a venue such as Comedy Central, and it really would be a comedic escapade if this weren't so serious and we weren't talking about the existence of Israel, the continued lives or stoppage of lives of Christians and Jews around the world.

We know what the leaders of Iran think. They never, ever stop saying what they think. It is just incredible. They have never stopped demanding "death to America" and "death to Israel."

I see this article by Raf Sanchez from July 21st: "The U.S. said on Tuesday it was disturbed by an outburst of anti-American rhetoric from Iran's Supreme Leader in the wake of the nuclear deal,

as fierce debates over the agreement began in both the Iranian Parliament and U.S. Congress.

"John Kerry, the U.S. Secretary of State, said he was troubled by a fiery speech in which Ayatollah Khamenei promised to continue fomenting unrest across the Middle East and said Iran's 'policy towards the arrogant U.S. will not change.'

"If it is the policy, it's very disturbing, it's very troubling, and we'll have to wait and see."

No, we shouldn't have to wait and see. When Iran's evil leaders say they are going to keep fomenting trouble, they are going to keep killing Christians and Jews across the Middle East, they are going to keep killing moderate Muslims in the Middle East, we should not wait; we should take them seriously. They are saying it while the deal is still not affirmed and ratified here in the United States.

You would have to be a blooming idiot to make a deal with people who are saying they are going to take the money they get from this deal and kill Americans, kill Christians, kill Jews, and give them the money anyway. There are going to be consequences for this kind of irresponsibility.

Mr. Speaker, I would just encourage anyone who has access to an updated copy of the Iran deal, look to see for sure if it is limited to a 10-year deal or perhaps could somebody do an inspection and say, Oh, it is all good—maybe it is a 5-year deal instead of a 10-year deal.

When the person making the agreement has no power after the deal is signed, sealed, and delivered over when that deal ends, it is not a deal that should be made. That alone ought to be enough to make anyone walk away from it.

Mr. Speaker, I am immensely concerned for our friends around the world. I have mentioned numerous times—and I keep going back to the words of a west African named Ebenezer, a senior citizen there in west Africa who explained how excited they were when we elected our first Black President, but they have seen America get weaker, and he begged me to tell people in Washington that, when we get weaker in America, they suffer more around the world and specifically in Africa. Those words still bother me.

This deal with an evil group of leaders in Iran is going to spell death down the road for masses of people if we don't get it stopped.

Mr. Speaker, that is my plea. Let's stop the deal for the good of the world.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLAWSON of Florida (at the request of Mr. MCCARTHY) for today on account of a family emergency.

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for today until 3 p.m.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 286. An act to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Natural Resources.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 57 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 23, 2015, 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:

2262. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's interim rule — Emerald Ash Borer; Quarantined Areas [Docket No.: APHIS-2015-0028] received July 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2263. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Khapra Beetle; New Regulated Countries and Regulated Articles [Docket No.: APHIS-2013-0079] received July 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2264. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Kenneth J. Glueck, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2265. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Colonel David W. Maxwell, United States Marine Corps, to wear the insignia of the grade of brigadier general, in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

2266. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps [Docket No.: EERE-2012-BT-STD-0029] (RIN: 1904-AC82) received July 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2267. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2268. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland

Security, transmitting the Department's temporary final rule — Safety Zone; Fireworks Display, Columbia River, Cathlamet, WA [Docket No.: USCG-2015-0358] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2269. A letter from the Board Members, Federal Old-Age And Survivors Insurance And Federal Disability Insurance Trust Funds, transmitting the 2015 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, in accordance to Sec. 709 of the Social Security Act; (H. Doc. No. 114-51); to the Committee on Ways and Means and ordered to be printed.

2270. A letter from the Boards of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2015 Annual Report of the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds; (H. Doc. No. 114-50); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 521. A bill to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska; with an amendment (Rept. 114-217, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2770. A bill to amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes; with an amendment (Rept. 114-218). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 998. A bill to establish the conditions under which the Secretary of Homeland Security may establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States, and for other purposes; with an amendment (Rept. 114-219, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2127. A bill to direct the Administrator of the Transportation Security Administration to limit access to expedited airport security screening at an airport security checkpoint to participants of the PreCheck program and other known low-risk passengers, and for other purposes; with an amendment (Rept. 114-220). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2843. A bill to require certain improvements in the Transportation Security Administration's PreCheck expedited screening program, and for other purposes; with an amendment (Rept. 114-221). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 1300. A bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for

other purposes; with an amendment (Rept. 114-222, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 370. Resolution providing for consideration of the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration (Rept. 114-223). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 521 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Ways and Means discharged from further consideration. H.R. 998 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 1300 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA:

H.R. 3149. A bill to amend title 49, United States Code, to establish a limit on checked baggage fees imposed by air carriers on passengers in air transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BECERRA (for himself, Mr.

BRENDAN F. BOYLE of Pennsylvania, Ms. JUDY CHU of California, Ms. LEE, Mr. POCAN, Mr. LANGEVIN, Mr. BLUMENAUER, Mr. DOGGETT, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Mr. RANGEL, Ms. LINDA T. SANCHEZ of California, Mr. MCDERMOTT, Mr. LEWIS, Mr. NEAL, Mr. THOMPSON of California, Mr. PASCRELL, Mr. LARSON of Connecticut, Ms. SCHAKOWSKY, Ms. MATSUI, Mr. CUMMINGS, Mr. GRIJALVA, and Mr. ELLISON):

H.R. 3150. A bill to amend title II of the Social Security Act to merge the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. BROOKS of Alabama (for himself, Ms. JENKINS of Kansas, Mr. FARENTHOLD, and Mr. SMITH of Texas):

H.R. 3151. A bill to require the Director of U.S. Immigration and Customs Enforcement to submit annual reports regarding certain demographic information on aliens arrested; to the Committee on the Judiciary.

By Mr. NOLAN:

H.R. 3152. A bill to amend the Rural Electrification Act of 1936 to establish an Office of Rural Broadband Initiatives in the Department of Agriculture, and for other purposes; to the Committee on Agriculture, 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 Mr. KNIGHT (for himself and Ms. BROWNLEY of California):

H.R. 3153. A bill to authorize a national memorial to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes; to the Committee on Natural Resources.

By Mr. MULLIN (for himself and Mr. LOEBBACH):

H.R. 3154. A bill to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE (for herself, Mr.

CONYERS, Ms. BASS, Mr. BLUMENAUER, Ms. BROWN of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. GRIJALVA, Ms. HAHN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. PIERLUISI, Mr. RANGEL, Mr. RICHMOND, Mr. SERRANO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. VEASEY, Mr. ELLISON, Mr. PETERS, Ms. MAXINE WATERS of California, Mr. HINOJOSA, Mr. VARGAS, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas):

H.R. 3155. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the humane treatment of youths who are in police custody, and for other purpose; to the Committee on the Judiciary.

By Ms. JACKSON LEE (for herself, Mr.

CONYERS, Ms. BASS, Ms. BROWN of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. CLAY, Ms. CLARKE of New York, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. DANNY K. DAVIS of Illinois, Mr. DEUTCH, Ms. EDWARDS, Mr. GRIJALVA, Ms. HAHN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. PIERLUISI, Mr. RANGEL, Mr. RICHMOND, Mr. SERRANO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. VEASEY, Mr. ELLISON, Mr. PETERS, Ms. MAXINE WATERS of California, Mr. HINOJOSA, Mr. VARGAS, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas):

H.R. 3156. A bill to provide for the expungement and sealing of youth criminal records, and for other purposes; to the Committee on the Judiciary.

By Mr. ROKITA (for himself, Ms. FUDGE, Mr. KLINE, and Mr. SCOTT of Virginia):

H.R. 3157. A bill to amend the General Education Provisions Act to strengthen privacy protections for students and parents; to the Committee on Education and the Workforce.

By Ms. JACKSON LEE (for herself, Mr.

CONYERS, Ms. BASS, Ms. BROWN of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. CLAY, Ms. CLARKE of New York, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. DANNY K. DAVIS of Illinois, Mr. DEUTCH, Ms. EDWARDS, Mr. GRIJALVA, Ms. HAHN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. PIERLUISI, Mr. RANGEL, Mr. RICHMOND, Mr. SERRANO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. VEASEY, Mr. ELLISON, Mr. PETERS, Ms. MAXINE WATERS of California, Mr. HINOJOSA, Mr. VARGAS, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas):

H.R. 3158. A bill to provide alternatives to incarceration for youth, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHFORD (for himself and Mr. FORTENBERRY):

H.R. 3159. A bill to amend the Immigration and Nationality Act to provide for expedited naturalization processes for the alien spouses of first responders who die as a result of their employment, and for other purposes; to the Committee on the Judiciary.

By Ms. BASS (for herself, Mr.

MCDERMOTT, Mr. MARINO, Mr. LANGEVIN, Mrs. BLACK, Mr. FRANKS of Arizona, Ms. CLARKE of New York, Mr. RANGEL, Ms. NORTON, Mr. CARSON of Indiana, Ms. WILSON of Florida, Mrs. LAWRENCE, Ms. JUDY CHU of California, Ms. LEE, Mr. VAN HOLLEN, Mr. SEAN PATRICK MALONEY of New York, Mr. DANNY K. DAVIS of Illinois, Mrs. NAPOLITANO, Mr. WILSON of South Carolina, Mr. DOGGETT, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. HONDA, Mr. POCAN, Mrs. WATSON COLEMAN, Mr. VARGAS, Mr. NADLER, Mr. BARLETTA, Mr. KEATING, and Mrs. HARTZLER):

H.R. 3160. A bill to amend part E of title IV of the Social Security Act to allow States that provide foster care for children up to age 21 to serve former foster youths through age 23 under the John H. Chafee Foster Care Independence Program; to the Committee on Ways and Means.

By Mr. BOUSTANY:

H.R. 3161. A bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Heartland, Habitat, Harvest, and Horticulture Act of 2008 relating to timber, and for other purposes; to the Committee on Ways and Means.

By Mr. COLLINS of Georgia (for him-

self, Mrs. LUMMIS, Mr. NEUGEBAUER, Mr. HUIZENGA of Michigan, Mr. AMODEI, Mr. LUETKEMEYER, Mr. THOMPSON of Pennsylvania, and Mr. VALADAO):

H.R. 3162. A bill to amend the Endangered Species Act of 1973 to improve the disclosure of certain expenditures under that Act, and for other purposes; to the Committee on Natural Resources.

By Ms. DUCKWORTH (for herself, Mr.

CROWLEY, Mr. MURPHY of Florida, Mr. RANGEL, Mr. GRIJALVA, Ms. NORTON, Mr. PAYNE, Ms. CLARK of Massachusetts, Mr. BERA, Mr. TED LIEU of California, Mr. MCDERMOTT, Mr. POCAN, Mr. BLUMENAUER, Ms. BONAMICI, Mrs. WATSON COLEMAN, Mr. RYAN of Ohio, Mr. NADLER, Ms. DEGETTE, Ms. FRANKEL of Florida, Ms. CASTOR of Florida, Ms. DELBENE, Mr. DEUTCH, Ms. SLAUGHTER, Mr. LEWIS, Mrs. BEATTY, Mr. BEYER, Ms. WASSERMAN SCHULTZ, Mr. DAVID SCOTT of Georgia, Miss RICE of New York, Mr. ELLISON, Ms. JACKSON LEE, Ms. SPEIER, Mr. GRAYSON, Mrs. DAVIS of California, Mr. CUMMINGS, Mrs. CAPPS, Ms. KUSTER, Ms. CLARKE of New York, Ms. SCHAKOWSKY, Ms. DELAURO, Mr. WELCH, Ms. HAHN, Ms. WILSON of Florida, Mr. ENGEL, Mr. HONDA, Mr. COHEN, Ms. EDWARDS, Mr. MOULTON, Ms. PINGREE, Ms. TITUS, Mr. PETERS, Mr. HASTINGS, Mr. VAN HOLLEN, Mr. CAPUANO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CONYERS, Mr. SEAN PATRICK MALONEY of New York, Mr. DESAULNIER, Mr. CARDENAS, Mr. TONKO, Ms. MOORE, Mrs. LAWRENCE, Mr. DEFAZIO, Ms. BROWNLEY of California, Mr. QUIGLEY, Ms. MCCOLLUM, Mrs. BUSTOS, Ms. LEE, Mr. LARSEN of Washington, Ms. MICHELLE LUJAN GRISHAM of New

Mexico, Mr. BRADY of Pennsylvania, Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of Georgia, Ms. JUDY CHU of California, Mr. O'ROURKE, Mr. LOEBBACH, and Ms. ROYBAL-ALLARD):

H.R. 3163. A bill to ensure timely access to affordable birth control for women; to the Committee on Energy and Commerce.

By Mr. ELLISON (for himself, Mr. GRI-

JALVA, Mr. CONYERS, Ms. JUDY CHU of California, Ms. NORTON, Ms. JACKSON LEE, Mr. VAN HOLLEN, Ms. LEE, Mr. HONDA, Mr. RANGEL, Mr. PALLONE, Ms. ROYBAL-ALLARD, Ms. HAHN, Mr. MCDERMOTT, Mr. FARR, Ms. ADAMS, Mr. NADLER, Mr. LOWENTHAL, Ms. SCHAKOWSKY, Ms. VELÁZQUEZ, Mr. MEEKS, Mr. POCAN, Mr. GALLEGO, Mr. COHEN, Mr. TAKANO, Mrs. WATSON COLEMAN, Ms. EDWARDS, Mr. SERRANO, Mr. LEWIS, Mr. BLUMENAUER, Ms. DELAURO, Mr. CUMMINGS, Mr. BEYER, Mr. TED LIEU of California, Mr. SIRES, and Mr. MCGOVERN):

H.R. 3164. A bill to provide for increases in the Federal minimum wage; to the Committee on Education and the Workforce.

By Mr. GOHMERT:

H.R. 3165. A bill to provide for the apprehension, detention, and removal of certain aliens arrested by the District of Columbia, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, and Homeland Security, 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. GRIJALVA (for himself, Mr. COLE, and Mrs. NAPOLITANO):

H.R. 3166. A bill to amend section 520E of the Public Health Service Act to require States and their designees receiving grants for development or implementation of statewide suicide early intervention and prevention strategies to consult with each Federally recognized Indian tribe, tribal organization, and urban Indian organization in the State; to the Committee on Energy and Commerce.

By Mr. KATKO:

H.R. 3167. A bill to amend the Internal Revenue Code of 1986 to prohibit the designation of individuals who are not employees of the Internal Revenue Service to examine certain books and witnesses; to the Committee on Ways and Means.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. ZELDIN):

H.R. 3168. A bill to amend title 23, United States Code, to include bridges on the National Highway Performance Program; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 3169. A bill to revise the composition of the Board of Regents of the Smithsonian Institution so that all members are individuals appointed by the President from a list of nominees submitted by the leadership of the Congress, and for other purposes; to the Committee on House Administration.

By Mr. NUGENT:

H.R. 3170. A bill to amend the Internal Revenue Code of 1986 to allow without penalty any 529 plan distributions used for student loans payments; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself and Mr. DUFFY):

H.R. 3171. A bill to amend the Public Health Service Act to prohibit certain research on the transplantation of human fetal tissue obtained pursuant to an abortion; to the Committee on Energy and Commerce.

By Mr. STEWART:

H.R. 3172. A bill to amend the Wild Free-Roaming Horses and Burros Act to provide for State and tribal management and protection of wild free-roaming horses and burros, and for other purposes; to the Committee on Natural Resources.

By Ms. GRANGER:

H. Con. Res. 64. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Monuments Men; to the Committee on House Administration.

By Ms. CLARKE of New York (for herself, Ms. MENG, Ms. LEE, Mr. SERRANO, Mr. PAYNE, Mrs. WATSON COLEMAN, Mrs. LAWRENCE, Ms. NORTON, Mr. HASTINGS, Ms. WILSON of Florida, Ms. JACKSON LEE, Mr. LEWIS, and Mr. RANGEL):

H. Res. 371. A resolution expressing the sense of the House of Representatives that there should be established a "National African Immigrant Heritage Month" in September to celebrate the great contributions of Americans of African immigrant heritage in the United States who have enriched the history of the Nation; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

100. The SPEAKER presented a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 13, urging the United States Congress and the President of the United States to recognize that crude oil exports and free trade are in the national interest and take all necessary steps to eliminate the current ban on crude oil exports; jointly to the Committees on Foreign Affairs and Ways and Means.

101. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 5, expressing dissatisfaction with the Federal Government's inadequate efforts to secure the Texas-Mexico international border; jointly to the Committees on Homeland Security and 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 Mr. MICA:

H.R. 3149.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3

By Mr. BECERRA:

H.R. 3150.

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. BROOKS of Alabama:

H.R. 3151.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. NOLAN:

H.R. 3152.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. KNIGHT:

H.R. 3153.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18, relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress.

By Mr. MULLIN:

H.R. 3154.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution of the United States.

By Ms. JACKSON LEE:

H.R. 3155.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. JACKSON LEE:

H.R. 3156.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. ROKITA:

H.R. 3157.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Ms. JACKSON LEE:

H.R. 3158.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. ASHFORD:

H.R. 3159.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. The Congress shall have the Power To establish a uniform Rule of Naturalization.

By Ms. BASS:

H.R. 3160.

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 1, Section 1.

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. BOUSTANY:

H.R. 3161.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. COLLINS of Georgia:

H.R. 3162.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 of the United States Constitution

By Ms. DUCKWORTH:

H.R. 3163.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8, Clause 18 of the United States Constitution which gives Congress the authority to "make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in

the Government of the United States, or in any Department or Office thereof."

By Mr. ELLISON:

H.R. 3164.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8 of the Constitution of the United States, which states:

The Congress shall have the 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."

The Congress shall have the 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. GOHMERT:

H.R. 3165.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4, US Constitution: To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

Article 1, Section 8, Clause 17 US Constitution: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;

By Mr. GRIJALVA:

H.R. 3166.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §8.

By Mr. KATKO:

H.R. 3167.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which states that "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 the Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3168.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. NORTON:

H.R. 3169.

Congress has the power to enact this legislation pursuant to the following: clause 18, section 8 of article I of the Constitution.

By Mr. NUGENT:

H.R. 3170.

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.

By Mr. SENSENBRENNER:

H.R. 3171.

Congress has the power to enact this legislation pursuant to the following:

Article I, 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. STEWART:

H.R. 3172.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 4 allows that "The United States shall guarantee to every State in this union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 204: Mr. MACARTHUR.
 H.R. 217: Mr. HUNTER, Mr. STIVERS, and Mr. ALLEN.
 H.R. 243: Mr. GIBSON.
 H.R. 244: Mr. BARLETTA.
 H.R. 303: Mr. ENGEL, Mr. HINOJOSA, Mrs. LAWRENCE, and Mr. TAKANO.
 H.R. 341: Mrs. NAPOLITANO.
 H.R. 402: Mr. MOOLENAAR.
 H.R. 423: Mr. ROTHFUS.
 H.R. 425: Mr. YARMUTH.
 H.R. 510: Mr. SCHWEIKERT.
 H.R. 540: Ms. ROYBAL-ALLARD.
 H.R. 592: Mrs. WALORSKI, Mr. ABRAHAM, Mr. BLUMENAUER, Mr. BISHOP of Michigan, and Mr. AMODEI.
 H.R. 707: Mr. GROTHMAN.
 H.R. 767: Ms. WILSON of Florida.
 H.R. 799: Mr. RYAN of Ohio.
 H.R. 816: Mr. BENISHEK, Mr. MURPHY of Pennsylvania, Mr. RIBBLE, and Mr. WOMACK.
 H.R. 836: Mr. JENKINS of West Virginia, Mr. SHUSTER, Miss RICE of New York, Mr. FITZPATRICK, Mr. SENSENBRENNER, and Mr. BISHOP of Michigan.
 H.R. 855: Mr. BUCHANAN.
 H.R. 863: Mrs. HARTZLER.
 H.R. 879: Mr. GRAVES of Louisiana.
 H.R. 916: Mr. WALZ.
 H.R. 921: Mrs. WALORSKI, Mr. PIERLUISI, and Mr. ROE of Tennessee.
 H.R. 961: Mr. MARCHANT.
 H.R. 969: Mr. CARNEY, Mrs. DINGELL, and Ms. DUCKWORTH.
 H.R. 985: Mr. GRIFFITH.
 H.R. 994: Mr. MCGOVERN.
 H.R. 1142: Mr. WALZ.
 H.R. 1148: Mr. BRIDENSTINE, Mr. BUCHANAN, and Mrs. ROBY.
 H.R. 1192: Mr. CULBERSON, Mr. HENSARLING, Mr. SABLAN, and Mr. FLORES.
 H.R. 1197: Mr. LONG and Mr. COLLINS of New York.
 H.R. 1209: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. NEWHOUSE, Ms. JUDY CHU of California, Mr. DENT, and Mrs. MILLER of Michigan.
 H.R. 1211: Ms. LEE, Ms. CLARKE of New York, Mr. RYAN of Ohio, Ms. NORTON, Mr. NOLAN, and Mr. CARTWRIGHT.
 H.R. 1220: Mr. BARLETTA.
 H.R. 1258: Miss RICE of New York.
 H.R. 1288: Mrs. LOWEY, Ms. DUCKWORTH, Ms. JUDY CHU of California, Mr. SEAN PATRICK MALONEY of New York, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. NOLAN.
 H.R. 1301: Mr. MURPHY of Pennsylvania.
 H.R. 1312: Ms. SCHAKOWSKY and Ms. CLARK of Massachusetts.
 H.R. 1343: Ms. MCCOLLUM and Mr. OLSON.
 H.R. 1344: Mr. BEN RAY LUJÁN of New Mexico and Mr. SMITH of Nebraska.
 H.R. 1356: Mr. KLINE, Mr. BARR, Mr. PETERS, Mr. GIBSON, Mr. YOUNG of Iowa, Mr.

WITTMAN, Mrs. BEATTY, Mr. FARENTHOLD, and Ms. BROWNLEY of California.
 H.R. 1384: Mr. KATKO, Mr. FARENTHOLD, and Ms. GRANGER.
 H.R. 1388: Mr. FLEMING and Mrs. WALORSKI.
 H.R. 1401: Mrs. MCMORRIS RODGERS.
 H.R. 1415: Ms. BORDALLO.
 H.R. 1419: Mr. POCAN.
 H.R. 1422: Mr. STEWART.
 H.R. 1441: Mr. LARSEN of Washington and Mrs. BUSTOS.
 H.R. 1453: Mr. LARSEN of Washington.
 H.R. 1462: Mr. JOYCE.
 H.R. 1475: Mr. JOLLY, Mr. PEARCE, and Mr. PIERLUISI.
 H.R. 1505: Mrs. LOVE and Ms. BORDALLO.
 H.R. 1516: Mr. RENACCI.
 H.R. 1546: Mr. VEASEY and Mr. CRAMER.
 H.R. 1600: Ms. ESTY.
 H.R. 1610: Mr. LATTA, Mr. MARCHANT, and Mr. CUELLAR.
 H.R. 1624: Mr. AMODEI, Mr. MCCLINTOCK, Mr. FLEISCHMANN, Mrs. LOVE, Mr. WALBERG, Mrs. HARTZLER, Mr. WITTMAN, Mr. LOUDERMILK, and Mr. HULTGREN.
 H.R. 1625: Mr. COOPER.
 H.R. 1628: Mr. KEATING.
 H.R. 1669: Mrs. LUMMIS.
 H.R. 1684: Ms. FRANKEL of Florida.
 H.R. 1748: Mr. TONKO, Mr. GRAVES of Missouri, Mr. BLUMENAUER, Mr. VARGAS, Mr. CRENSHAW, and Mr. STIVERS.
 H.R. 1814: Mr. KEATING, Mr. FOSTER, Mr. PASCRELL, Mr. LYNCH, and Mr. COURTNEY.
 H.R. 1848: Mr. BEYER and Mr. BLUMENAUER.
 H.R. 1853: Mr. JOHNSON of Ohio.
 H.R. 1886: Mr. GIBBS.
 H.R. 1901: Mr. HARPER and Mr. NUGENT.
 H.R. 1919: Mr. NEWHOUSE.
 H.R. 1929: Mr. WILLIAMS.
 H.R. 1940: Ms. LEE.
 H.R. 1941: Mr. MILLER of Florida and Mr. STEWART.
 H.R. 1969: Mrs. DINGELL, Mr. YOUNG of Iowa, Ms. MCSALLY, and Mr. WITTMAN.
 H.R. 1986: Mr. ZINKE.
 H.R. 1994: Mr. COOK, Mr. ALLEN, Mr. YOUNG of Iowa, and Mr. KATKO.
 H.R. 2013: Ms. PINGREE.
 H.R. 2017: Mr. BLUM, Mr. HUELSKAMP, Mrs. WALORSKI, and Mr. AMODEI.
 H.R. 2025: Mr. CROWLEY.
 H.R. 2030: Ms. LOFGREN, Mr. QUIGLEY, and Mr. ISRAEL.
 H.R. 2043: Mr. ROGERS of Alabama, Mr. YODER, and Mr. PASCRELL.
 H.R. 2058: Mr. WALKER.
 H.R. 2063: Ms. CLARK of Massachusetts.
 H.R. 2123: Mrs. BROOKS of Indiana, Mr. FRANKS of Arizona, Ms. LOFGREN, Mrs. BEATTY, and Mr. DESANTIS.
 H.R. 2156: Mr. SIRENS.
 H.R. 2193: Mr. BLUMENAUER.
 H.R. 2209: Mr. POLIQUIN.
 H.R. 2213: Mrs. NOEM and Mr. ROUZER.
 H.R. 2217: Mr. TAKANO.
 H.R. 2241: Ms. DELBENE.
 H.R. 2243: Mr. LATTA.
 H.R. 2280: Ms. ROYBAL-ALLARD.
 H.R. 2330: Mrs. LAWRENCE.
 H.R. 2350: Mr. NORCROSS.
 H.R. 2380: Mr. QUIGLEY.
 H.R. 2391: Ms. EDWARDS and Ms. BROWN of Florida.
 H.R. 2400: Mr. MEADOWS, Mrs. WALORSKI, Mr. CURBELO of Florida, Mr. DUNCAN of South Carolina, Mr. SANFORD, Mr. LATTA, and Mr. FITZPATRICK.
 H.R. 2405: Mr. BOUSTANY.
 H.R. 2429: Mr. SCHIFF.
 H.R. 2430: Mr. NEAL, Mr. HECK of Washington, Mr. HASTINGS, and Miss RICE of New York.
 H.R. 2460: Mr. POMPEO.
 H.R. 2483: Mr. KLINE and Mr. SALMON.
 H.R. 2493: Mr. SHERMAN, Ms. MCSALLY, and Mr. MOULTON.
 H.R. 2510: Mr. KLINE.

H.R. 2544: Mr. FARENTHOLD.
 H.R. 2567: Mr. DENT.
 H.R. 2602: Ms. NORTON, Mrs. BEATTY, Mr. DEFazio, Mr. LYNCH, Mr. TONKO, Mr. KENNEDY, Ms. TITUS, Ms. SCHAKOWSKY, Ms. JACKSON LEE, and Ms. PLASKETT.
 H.R. 2606: Mr. WILLIAMS.
 H.R. 2607: Mr. KING of New York.
 H.R. 2627: Mr. RANGEL.
 H.R. 2643: Mr. VARGAS, Mr. HINOJOSA, and Mr. POLIQUIN.
 H.R. 2646: Mr. GIBSON and Ms. PLASKETT.
 H.R. 2669: Mr. LATTA.
 H.R. 2686: Mr. NEAL.
 H.R. 2689: Mr. VALADAO and Ms. HAHN.
 H.R. 2698: Mrs. ROBY, Mr. LAMALFA, and Mr. CALVERT.
 H.R. 2713: Ms. MATSUI, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BONAMICI, and Mrs. DINGELL.
 H.R. 2721: Ms. TITUS and Mr. HONDA.
 H.R. 2726: Mrs. DINGELL and Mr. NADLER.
 H.R. 2730: Mr. WHITFIELD.
 H.R. 2747: Mr. LOBIONDO.
 H.R. 2769: Mr. BROOKS of Alabama.
 H.R. 2773: Ms. TITUS.
 H.R. 2793: Mr. CARTER of Georgia, Mrs. WALORSKI, and Mrs. HARTZLER.
 H.R. 2800: Mr. ROE of Tennessee.
 H.R. 2802: Mr. RUSSELL and Mr. ZELDIN.
 H.R. 2805: Mr. BARR.
 H.R. 2817: Mr. SIMPSON.
 H.R. 2820: Mr. BARLETTA, Mr. BURGESS, and Ms. ESHOO.
 H.R. 2838: Mr. REICHERT.
 H.R. 2849: Ms. TITUS and Ms. BORDALLO.
 H.R. 2856: Mr. LONG.
 H.R. 2866: Mr. SCHIFF and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
 H.R. 2884: Mr. MULVANEY.
 H.R. 2896: Ms. JENKINS of Kansas, Mr. EMMER of Minnesota, Mr. BRIDENSTINE, Mr. KELLY of Pennsylvania, Mr. CRENSHAW, Mr. CRAMER, Mr. MCKINLEY, Mr. POSEY, Mr. POLIQUIN, Mr. GOSAR, Mr. POMPEO, Mr. RUSSELL, Mr. COLE, and Mr. HURT of Virginia.
 H.R. 2903: Mr. KLINE, Mrs. BLACK, Mr. LANCE, and Mr. TIPTON.
 H.R. 2905: Mr. STEWART, Mr. ROE of Tennessee, Mr. LAMALFA, Mrs. BLACKBURN, Mr. ZINKE, Mr. MCCLINTOCK, Mr. RICE of South Carolina, Mr. HULTGREN, and Mr. PITTINGER.
 H.R. 2920: Ms. TITUS and Miss RICE of New York.
 H.R. 2921: Mr. HENSARLING.
 H.R. 2923: Mr. WITTMAN.
 H.R. 2937: Mr. GROTHMAN.
 H.R. 2972: Mr. VEASEY, Ms. TITUS, and Mr. LEVIN.
 H.R. 2976: Ms. CLARK of Massachusetts.
 H.R. 2987: Mrs. WAGNER and Mr. LUCAS.
 H.R. 2991: Mr. CARNEY.
 H.R. 2994: Ms. JUDY CHU of California and Mr. MCGOVERN.
 H.R. 3002: Mr. CHABOT.
 H.R. 3003: Mr. RUPPERSBERGER.
 H.R. 3006: Mr. ALLEN.
 H.R. 3009: Mr. CARTER of Texas, Mr. CHABOT, Mrs. HARTZLER, Mr. GRAVES of Louisiana, Mr. BOST, Mr. PALAZZO, Mr. FLORES, and Mr. CULBERSON.
 H.R. 3016: Mr. COFFMAN.
 H.R. 3037: Mr. KATKO.
 H.R. 3040: Mr. SABLAN, Mr. RUSH, and Ms. GABBARD.
 H.R. 3054: Mr. TONKO.
 H.R. 3067: Mr. MCGOVERN.
 H.R. 3105: Mr. CONYERS, Mrs. LAWRENCE, and Mr. KILDEE.
 H.R. 3109: Mr. WESTMORELAND.
 H.R. 3115: Mr. YOUNG of Iowa, Mr. CHABOT, Mr. WESTERMAN, Mr. LANCE, Mr. GOSAR, Mr. SALMON, Mr. JODY B. HICE of Georgia, Mr. DUNCAN of South Carolina, Mr. MULVANEY, Mr. LOUDERMILK, Mr. MEADOWS, Mr. BRAT, Mr. BROOKS of Alabama, Mr. YOHO, Mrs. NOEM, Mr. SMITH of Missouri, Mr. HARDY, Mr. HUNTER, Mr. SHUSTER, Mr. SANFORD, Mr.

McHENRY, Mrs. LUMMIS, Mr. CHAFFETZ, and Mr. MICA.

H.R. 3118: Mrs. LUMMIS, Mr. GROTHMAN, Mr. RICE of South Carolina, and Mr. MILLER of Florida.

H.R. 3120: Mr. RIBBLE.

H.R. 3123: Mr. ALLEN.

H.R. 3132: Mr. HINOJOSA, Mr. MEEKS, Mr. PIERLUISI, Ms. BORDALLO, Mr. KILMER, Mr. GUTIÉRREZ, Mr. WELCH, Mr. PERLMUTTER, Mr. HASTINGS, Ms. SLAUGHTER, Mr. FARR, Mr. POCAN, Mr. QUIGLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CÁRDENAS, and Ms. FRANKEL of Florida.

H.R. 3134: Mr. WESTERMAN, Mr. COLLINS of New York, Mr. BARR, Mr. LOUDERMILK, Mr. SHUSTER, Mr. GROTHMAN, Mr. GOSAR, Mr. BILIRAKIS, Mr. CHAFFETZ, Mr. BARTON, Mr. MARCHANT, Mr. SALMON, Mr. POMPEO, Mrs. MILLER of Michigan, Mr. GRIFFITH, Mr. PEARCE, Mr. POSEY, Mr. NEUGEBAUER, Mr. PITTINGER, Mr. POE of Texas, Mr. YOUNG of Indiana, Mr. COLE, Mr. GRAVES of Georgia, Mr. ROONEY of Florida, Mr. GOWDY, Mr. WALBERG, Mr. NEWHOUSE, Mr. FORTENBERRY, Mr. CULBERSON, Mr. WALKER, Mr. STUTZMAN, Mr. SIMPSON, Mr. TIBERI, Mr. WEBER of Texas, Mr. TOM PRICE of Georgia, Mr. RICE of South Carolina, Mr. JOYCE, Mr. BARLETTA, Mr. GRAVES of Louisiana, Mr. MULLIN, Mr. DUNCAN of Tennessee, Mr. STIVERS, Mr. BYRNE, and Mr. SMITH of Texas.

H.R. 3137: Mrs. TORRES, Mr. POLIS, and Mr. HECK of Washington.

H.R. 3139: Mr. GROTHMAN, Mr. WOODALL, and Mr. POMPEO.

H.R. 3141: Mr. BEYER.

H.J. Res. 9: Mr. DUNCAN of Tennessee.

H.J. Res. 47: Mr. KNIGHT.

H.J. Res. 59: Mr. HULTGREN, Mr. PITTINGER, Mr. BABIN, Mr. CONAWAY, Mr. WOODALL, Mrs. BLACKBURN, Mr. STUTZMAN, Mr. AUSTIN SCOTT of Georgia, Mr. WEBER of Texas, Mr. McCLINTOCK, Mr. RICE of South Carolina, Mr. ROE of Tennessee, Mr. LAMALFA, Mr. FRANKS of Arizona, Mr. FARENTHOLD, and Mr. BARR.

H. Con. Res. 17: Ms. ADAMS.

H. Con. Res. 33: Mr. TIPTON.

H. Res. 12: Ms. CLARKE of New York.

H. Res. 49: Mr. KLINE.

H. Res. 82: Mr. COURTNEY, Mr. CICILLINE, and Ms. ESTY.

H. Res. 111: Mr. KLINE and Mrs. HARTZLER.

H. Res. 130: Mr. KLINE.

H. Res. 194: Mrs. WALORSKI.

H. Res. 210: Mr. DESJARLAIS.

H. Res. 220: Mr. DUNCAN of South Carolina, Mr. CURBELO of Florida, Mr. MARINO, and Mr. GIBSON.

H. Res. 286: Ms. CLARKE of New York and Mr. BARLETTA.

H. Res. 289: Ms. CLARKE of New York.

H. Res. 294: Mr. YOUNG of Iowa, Ms. TITUS, and Mr. NOLAN.

H. Res. 343: Mr. KLINE, Mr. JOHNSON of Ohio, Mr. JONES, Mrs. WAGNER, Mr. ROUZER, Mr. TIBERI, Mr. VAN HOLLEN, Mr. HECK of Nevada, Mr. LIPINSKI, Mr. CONYERS, Mrs. BEATTY, Mr. KNIGHT, Mr. POCAN, Mr. WELCH, Mr. BRAT, Mr. SENSENBRENNER, Mr. ROKITA, and Mr. BRIDENSTINE.

H. Res. 354: Mr. WEBER of Texas, Mr. COHEN, Mr. VARGAS, Mr. KILMER, Mr. LAMBORN, Mr. LATTA, Mr. AL GREEN of Texas, and Mr. ROHRABACHER.

H. Res. 359: Mr. MURPHY of Pennsylvania and Mr. ALLEN.

H. Res. 365: Mr. MCGOVERN.

H. Res. 367: Mr. GROTHMAN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 3009 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2646: Mr. DeSANTIS, Mrs. BEATTY, and Ms. LOFGREN.