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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 31, 2013.

I hereby appoint the Honorable JOSEPH HECK to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

PANCREATIC CANCER AND BETSY KAPLAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to support cancer victims and also to honor a valiant leader in our community who turns 86 on August 12—Betsy Kaplan.

I will start by asking all of us to support the patients, the families, and victims of a special type of cancer—pancreatic cancer. Pancreatic cancer is the deadliest of all forms of cancer with a 5-year survival rate of just 6 percent. In 2013 alone, pancreatic cancer will affect 45,000 patients—73 percent of whom will die within 1 year of diagnosis. In my home State of Florida, it is estimated that out of the 3,380 new cases, 2,770 people will die from this terrible disease.

Last year, I was proud to help pass the Recalcitrant Cancer Research Act, a bill designed to turn around these horrible statistics. Mr. Speaker, we must continue to make survival from pancreatic cancer a priority, and I urge my colleagues to stand with us in this fight.

A south Floridian who is involved in many worthwhile causes, whether they are related to improving the lives of others or fighting for better treatment for the disabled, is Betsy Kaplan. Betsy is a retired school board member from Miami-Dade County Public Schools. She served there for 16 years and has been recognized in our community for her notable achievements and contributions fostering arts education and student guidance in our public schools.

With an unprecedented 47 years of professional experience in the education field, Betsy retired with many honors from her teaching career to spearheading the adoption of the tobacco-free schools policy and advocating for educational programs that cater to special needs students.

A decorated award winner, Betsy has received numerous honors ranging from the Florida School Board's President's Award to being recognized as a Woman of Impact by the Community Coalition for Women's History. Most recently, Betsy received the Breaking the Glass Ceiling Award from the Jewish Museum of Florida at Florida International University.

It is thanks to Betsy that the Miami-Dade school district is known as an outstanding model of public arts education in the Nation.

As a former Florida certified teacher, I recognize Betsy's commitment to ensuring that our students get the quality education they deserve, and I thank Betsy for her exceptional efforts in creating opportunities for students to learn, to grow, and to succeed in their educational, social, and professional lives.

So congratulations to Betsy Kaplan, and let us all keep up the fight to beat all types of cancer, especially pancreatic cancer.

INFRASTRUCTURE FUNDING

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

Mr. BLUMENAUER. Mr. Speaker, in a few minutes, we will be meeting with President Obama here in the Capitol. While I appreciate the President's commitment to the economy, and I do believe he is passionate about renewing and rebuilding America, there is a certain irony to having the conversation today, because this is the very same day the House is supposed to be completing its work on a woefully inadequate budget bill to fund Transportation, Housing and Urban Development.

By insisting on an increase in defense spending and approving a budget target that is unrealistically low and freezing in the sequestration, we are seeing budgets that bear no relationship to reality: $44.1 billion in transportation discretionary appropriations, down 15 percent from the authorized level. It makes no attempt to deal with the looming collapse of the highway trust fund; it slashes Amtrak a third below the current level—hardly responsible.

Many of the budget reductions in the housing programs and the Community Development Block Grants are even worse. We began those deliberations on the same day the American Society for Civil Engineers released their report card on the state of America's infrastructure. The grade was D-plus. It was

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only that high because we have increased some private investment, some local government funding and, of course, the reviled stimulus funding that helped reduce some of the more egregious shortfalls while putting people to work.

It is ironic that some of the rationale for some of this bizarre budget behavior, which, thankfully, will never be enacted into law, is the need to save taxpayer money and reduce deficits.

In reality, if this budget were approved, it would actually end up costing American taxpayers more. Families will earn even less if we continue this funding level for infrastructure that is inadequate. There will be hundreds of millions of hours of time lost as people are stuck in traffic, and the number of miles of congestion increased over 30 percent. Of course, our businesses will pay almost a half trillion dollars more in transportation costs and repair while business will be underperforming, and that will cost money too.

The path forward is clear. We should provide increased funding for transportation and infrastructure. The gas tax has not been increased in 20 years, which, incidentally, was the last time we had balanced budgets. This is the quickest way to get the new revenues that many feel are necessary to be part of any rational, long-term grand budget agreement and tax reform.

It would be supported by a wide array of business, labor, environmental groups, and local government. Indeed, there is a vast coalition that is saying, tax me so I can do my job better and we can revitalize America's communities and our sagging economy.

It is no longer acceptable for us to talk past one another. By dealing boldly with the infrastructure crisis in the context of realistic budgets and meaningful tax reform, we can put Americans back to work. We can break the logjam here on Capitol Hill. We can strengthen the economy while we make our communities more livable and our families safer, healthier, and more economically secure.

TENTH UNANSWERED BENGHAZI QUESTION

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

Mr. WOLF. Mr. Speaker, over the last 2 weeks, I raised a series of questions focusing on the attack on the U.S. consulate in Benghazi, as well as Washington's response, or lack thereof.

To date, little is known why Ambassador Stevens was in the U.S. consulate in the days leading up to the anniversary of 9/11. Even less known is about the other American facility in Benghazi: the CIA annex. When was the annex established? How many people worked at the annex? Of these, how many were direct agency employees and how many were contractors? What was the ratio of CIA staff to security contractors? Why was there a facility operated by the CIA in Benghazi? Perhaps it was established to assist in U.S. efforts to secure weapons in the wake of the Libyan revolution.

As early as 2011, National Journal reported:

> The U.S. is also planning to ramp up spending to help Libya's interim government secure and destroy the shoulder-fired surface-to-air missiles and weapons looted from Qadhafi's stockpiles. A senior State Department official said Clinton will tell Libyan leaders that the U.S. contribution to these efforts will go up to $40 million.

The same article noted:

> The U.S. has already spent nearly $6 million on its conventional weapons disposal efforts, sending a quick reaction force of weapons experts to Libya by October 2011.

If, indeed, the facility in Benghazi was involved in the collection of these weapons, where are they? The $40 million promised by Secretary Clinton would buy a very large quantity of weapons. Were they shipped out of Benghazi? Are they in warehouses on U.S. soil? Are they in other allied countries? Or did they end up elsewhere?

There has been speculation that some of these weapons may have ended up in Syria.

It is particularly noteworthy that during the same time period that the U.S. engaged in collecting weapons in Libya, respected national security reporter Mark Hosenball wrote on August 1, 2012:

> President Barack Obama has signed a secret order authorizing U.S. support for rebels seeking to depose Syrian President Bashar al-Assad and his government, U.S. sources familiar with the matter said. Obama's order, approved earlier this year and known as an intelligence ''finding,'' broadly permits the CIA and other U.S. agencies to provide support that could help the rebels oust Assad.

The article continued:

> The White House is for now apparently stopping short of giving the rebels lethal weapons, even as some U.S. allies do just that, and precisely when Obama signed the secret intelligence authorization, an action not previously reported, could not be determined.

However, Hosenball also reported this important information:

> A U.S. Government source acknowledged that under provisions of the Presidential finding, the United States was collaborating with a secret command center operated by Turkey and its allies, and NBC said the shoulder-fired missiles, also known as MANPADS, had been delivered to the rebels via Turkey.

Is it possible that the President's intelligence finding included an authorization for the weapons collected in Libya to be transferred to Syrian rebels? Was the CIA annex being used to facilitate these transfers? If so, how did the weapons physically move from Libya to Syria? By plane? By ship?

And, again, I ask, if these weapons were not being transferred to other countries like Syria, where exactly did they end up? Was the CIA annex being used as a logistics center to track and transfer these weapons? Was Ambassador Stevens' visit to the CIA annex on September 10 associated with these operations? And if these activities were taking place, was this consistent with the President's intelligence finding? Was the Congress notified?

Mr. Speaker, I raise these questions knowing that CIA operations anywhere are sensitive and there is an appropriate time and place for the discussions. However, I don't think the American people will ever learn the truth about what happened that night and why—including the questionable U.S. response—unless they understand what exactly was taking place at the annex.

That is why I continue to believe that a House select committee is the most appropriate path forward to investigate this and many other unanswered questions about Benghazi.

□ 1015

IN HONOR OF JAMES WATTS

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

Mr. SCHIFF. Mr. Speaker, I rise, along with my colleague Representative STEVEN PALAZZO, to honor James Watts for his many years of service to community and country.

Born in 1919 in McComb, Mississippi, Mr. Watts has dedicated his career to public service. His children and stepchildren have followed in their parents' footsteps and have been leaders in their own right throughout the United States.

During World War II, Mr. Watts defended his country by tracking German submarines as a member of the United States Coast Guard. Later, in civilian life, he would go on to hold executive board positions in both the Boy Scouts of America and the Girl Scouts of America organizations.

Mr. Watts' passion for volunteerism speaks volumes about his character. While he lived in Grand Junction, Colorado, he volunteered as an EMT and then as a paramedic for what is now St. Mary's Hospital and Regional Medical Center in Grand Junction, Colorado. Upon relocation to Gulfport, Mississippi, Mr. Watts taught CPR and first aid for the American Red Cross and various organizations around the country—a testament to his devotion to the well-being of the communities he has lived in and visited.

Perhaps one of his biggest accomplishments was in 1956 while he worked for the Atomic Energy Commission. As a mine safety engineer in New Mexico, Mr. Watts noticed a uranium boomtown of more than 10,000 residents who were living without access to a local hospital for emergency services. With ambition and selflessness, he took it upon himself to spearhead organizational efforts for the creation of the Cibola General Hospital, which has been committed to serving the medical

needs of the community since 1959. Ever since, patients continue to be saved; the critically ill continue to be treated; and the 24-hour emergency care is still available to the community.

Now at 94 years old, Mr. Watts resides with his wife, Barbara, in Gulfport, Mississippi. Although he is retired, the organizations and community projects developed under his leadership are still in operation today. I believe Mr. Watts' life is a great example of generosity and devotion to the greater good of society. We can all learn from Mr. Watts' inspiring story of public service, and I join my colleague in recognizing and in thanking Mr. Watts for his life of service.

We wish him, his wife, Barbara, and their children—Susan, Rick, who is here with us in the gallery, Jane, Danette, and Paul—all of the best in their future endeavors, and we thank them for continuing their father's legacy of noble service to the community.

The SPEAKER pro tempore. The Chair would remind Members to refrain from referring to occupants of the gallery.

GOVERNMENT WASTE

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

Mr. FITZPATRICK. Mr. Speaker, I rise this morning in strong support of the eight bills before the House today or, more importantly, in support of what they represent, which is commonsense government reform.

As a Representative of the hardworking taxpayers in southeastern Pennsylvania, it is my duty to make sure that they are getting value for every dollar that they send to the Nation's Capital. Right now, our Federal Government seems to find better ways to waste money than to save it. The culture of systemic waste, abuse, and lack of accountability needs to end.

We have the opportunity this week. We can vote to streamline the Federal Government to make it work for the American taxpayer. The Stop Government Abuse legislative package being considered today works to rein in widespread waste and inefficiency throughout Washington. These bills represent commonsense, bipartisan solutions that actually solve problems.

After this week, Members will leave for a month to head back to our districts. Many of us are going to be attending events and hosting town halls to facilitate conversations with our constituents. I am eager to report to them that, despite our differences, this body was able to come together to support so many commonsense reforms. So I urge my colleagues to support the bills being considered here and to vote to begin restoring faith in government.

END HUNGER NOW

The SPEAKER pro tempore (Mrs. HARTZLER). The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Madam Speaker, for the 20th time this Congress, I stand here to talk about how we can end hunger now. Hunger is a political condition. We have the food; we have the means; and we have the systems to end hunger now. We know how to do it. We just don't have the political will to make it happen, but that wasn't always the case.

In the late 1960s, America began seriously to confront its poverty problem. President Johnson fought the war on poverty, and his programs, including Medicare, Medicaid, and title I education programs—just to name a few—started to combat the poverty and inequality that were rampant across many parts of this country. President Nixon followed in his footsteps by hosting the first and only White House Conference on Food, Nutrition, and Health, a conference that focused on hunger in America.

The result of that conference was a precipitous drop in the number of hungry people in America. Contrary to Budget Committee Chairman PAUL RYAN's belief, the antipoverty programs from the Johnson administration and the antihunger programs created by the Nixon administration worked. In fact, hunger and poverty would be much worse today if it weren't for these programs.

The truth is we almost eradicated hunger in America thanks to a strengthened food stamp program and the creation of the WIC program in the 1970s, but those gains were erased and hunger increased because of the policies of Ronald Reagan. Since then, we've seen food stamp usage increase during every single administration. We can and we must do better.

One of the highlights of the effort that nearly ended hunger in America in the 1970s was the WIC program, formally titled the Special Supplemental Nutrition Program for Women, Infants, and Children. WIC is an innovative program that provides nutritious food and food counseling for pregnant women, nursing mothers, infants, and children under the age of 5.

Why is this program so critical?

Madam Speaker, prenatal enrollment in WIC is associated with lower infant mortality, in fewer premature births, and in a lower likelihood that infants will have very low or low birth weights; and because an infant's medical costs increase tenfold if he is of low birth weight, every dollar invested in WIC yields between $1.90 and up to $4.20 in Medicaid savings. This is literally about improving the physical well-being of developing children. This program affects these participants for the entirety of their lives. It's just that important, and it's critical that we get it right.

But, unlike SNAP, WIC is a discretionary program. This means that it is subject to the appropriations process; and in this time of budgetary austerity, WIC was included in the across-the-board cuts to defense and non-defense discretionary programs under the sequester. SNAP was excluded because it's an entitlement like Social Security and Medicare, but WIC was included in the sequester because it is not an entitlement.

As if the cuts in sequester were not bad enough, the House Agriculture appropriations bill now cuts the program even further by more than $500 million. The 7.3 percent cut to WIC in this bill could result in over 200,000 pregnant mothers and infants losing nutritious food. Even factoring in the reserve fund, 55,000 moms and kids will go without the nutrition that they need. It is sad that the Republican-controlled House of Representatives is cutting vital health and development programs for pregnant and nursing mothers and their very young children while at the same time they've found billions of dollars to send overseas in a wasteful war in Afghanistan.

Madam Speaker, during my series of End Hunger Now speeches, there has been one unifying theme that, I believe, puts us on the path to end hunger now. That theme is Presidential leadership. We need Presidential leadership to end hunger now. The last White House Conference on Food, Nutrition, and Health nearly ended hunger in America. I know that we can do even better if President Obama would convene such a conference. With a White House conference on food and nutrition, we could focus on ways to reduce hunger and obesity in smart, not arbitrary ways. We could figure out how to treat hunger and obesity as health issues while we work on ways to properly attack these scourges.

Madam Speaker, we desperately need Presidential leadership. We need a comprehensive plan. We need the political will. We need a White House conference on food and nutrition. I urge the President to act now.

THE FACE OF A HERO

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

Mr. HECK of Nevada. Madam Speaker, I come to the floor today with a heavy heart to pay my respects and to bid a solemn farewell to Las Vegas Metropolitan Police Officer David Vanbuskirk. Officer Vanbuskirk was killed in the line of duty on Tuesday, July 23 while participating in a rescue mission outside of Las Vegas. He was 36 years old.

To me, Dave was more than a constituent, and he was more than a public servant. He was one of my medics and a teammate. You see, prior to coming to Congress, I was a member of the LVMPD Search and Rescue team and the department's medical director.

A 13-year veteran of the department and one of only seven commissioned search and rescue officers on this elite force, Officer Vanbuskirk was called

into action on the night of the 22nd to rescue a hiker who was stranded on a rocky ledge above Mary Jane Falls on Mount Charleston. Once he reached the stranded hiker via helicopter, Officer Vanbuskirk secured the man and himself with harnesses to be lifted back into the helicopter. It was at some point during the lift that Officer Vanbuskirk became detached from the harness and fell to the ground below.

The hiker survived. He was saved by the heroic actions of Officer Vanbuskirk.

David's career with the department was marked by many accomplishments, but the notable achievements he would want us to remember cannot be hung on a wall or pinned on a uniform. These achievements can be summed up this way: David Vanbuskirk answered the call when people needed him. This is a man who, when the call came out to rescue a hiker stranded high on Mount Charleston, did not think of himself or of the danger he would be putting himself in. Like so many times before, he climbed into the helicopter and thought only of the person to be rescued, of the life to be saved.

Of course, answering calls like this are what David and the rest of the Las Vegas Search and Rescue team do. The work our law enforcement and search and rescue officers do around the valley and around our Nation to keep our communities safe is dangerous work, and this tragedy is a somber reminder that they put their lives on the line every time they are on duty, every time they answer that call.

Dave's personal courage and selfless dedication to his work and the community he served epitomized the very core of those in the public safety professions—of those who run towards the sound of gunfire or run into a burning building while everybody else is running away.

I remember when Dave first joined the unit. He was ambitious, motivated, professional—and he was always smiling. And he was smart—one of the brightest with whom I've ever had the opportunity to serve. He was always looking to learn more about search and rescue techniques and about emergency medical care.

We spent long hours together on SWAT missions, sitting in the cab of our rescue vehicle or on the rock during training exercises, and he was always asking questions. He was the proverbial sponge for knowledge. It was always, ''Hey, Doc. What about 'this' or 'that'?'' or ''Hey, Doc. What 'if'?'' He always put others first, and nowhere is that more evident than in how he spent his final hours—in the dark of night, with the search and rescue team, finding someone who needed help.

Madam Speaker, I think we use the word ''hero'' so often to describe athletes or celebrities or public figures that we sometimes forget what a real hero looks like. One only needs to look to my left. David Vanbuskirk was a hero, and that was evident by those who eulogized him this past Monday in the outpouring of public support, by the thousands who lined the funeral procession route and attended his services. He touched many hearts in his short time on this Earth, and stories about how he helped so many brought tears to the eyes of everyone who filled the church, even to the toughest cops in attendance.

While the Las Vegas search and rescue community, the metro police family, his friends, family members, wife, and all who knew him mourn his loss, we also celebrate Officer David Vanbuskirk's 13-year career of answering the call to serve the residents of Clark County. He is survived by his wife of 11 years, Adrianna; by his mother, Pat; by his sister, Jennifer; and her two sons, Reid and Griffin.

I extend my most heartfelt condolences to Adrianna and the Vanbuskirk family, and I pray they will be strengthened by friends and family during this difficult time.

Police Officer David Vanbuskirk, P No. 6482. Secure. Final.

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 10 o'clock and 29 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

Imam Talib Shareef, Masjid Muhammad, Washington, D.C., offered the following prayer:

Almighty God, the Merciful, the Wise, the Most High, the Possessor of Greatness, we stand and humbly beseech Your Divine Providence upon this House of Representatives.

Grant them clear vision and legislative acumen as they navigate the waters of our national issues. Grant them insight and wisdom, and bless them to follow the logic to its logical conclusion. Grant them the quality of excellence in planning both short and long term that focuses on the right thing, the right way, at the right time.

As we pledge ''one Nation under God, indivisible, with liberty and justice for all'' in acknowledging You, God, who created us all and cares about us all equally, bless this House to be reflective of E pluribus unum—the many diverse, wonderful, beautiful expressions of human life that have contributed to the beauty and strength of America; and bless them to have always the right perception of our Nation that, first of all, this Nation is a gift from You, and under You, God, we are responsible for how we treat everything.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Virginia (Mr. WITTMAN) come forward and lead the House in the Pledge of Allegiance.

Mr. WITTMAN 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.

WELCOMING IMAM TALIB SHAREEF

The SPEAKER. Without objection, the gentleman from Minnesota (Mr. ELLISON) is recognized for 1 minute.

There was no objection.

Mr. ELLISON. Mr. Speaker, it is my distinct honor, privilege, and pleasure to introduce Imam Talib Shareef today, who is the resident imam—which is simply a word that means ''leader''—of Masjid Muhammad, which is a Washington, D.C., mosque with a 75-year history.

Imam Talib Shareef is a 30-year veteran of the United States Air Force, and he served our country nobly in uniform for many years. He also holds a master's in business administration from the American InterContinental University and a diploma in the area of Arabic studies and language from the Defense Language Institute Foreign Language Center. I might also add that the imam is a leader in the interfaith movement and regularly works with faith leaders of all faiths, building understanding, cohesion, and unity amongst all people and all Americans.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

REMEMBERING LINDY BOGGS

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

Mr. SCALISE. Mr. Speaker, I rise today to pay tribute to a former Member of the House and a grand lady from Louisiana, Ms. Lindy Boggs.

She was a pioneer and a trailblazer for the State of Louisiana. She served

Louisiana's Second Congressional District following the death of her late husband, Hale Boggs, who was then the majority leader of the House. She was the first woman elected to represent the State of Louisiana in Congress, and she was a founder of the Congresswoman's Caucus. In tribute to her service as a pioneer for women, the Congressional Women's Reading Room down the hall is rightfully named in her honor. Lindy was the first woman and only Louisianian Ambassador to the Holy See during the tenure of Pope John Paul II.

Lindy effortlessly balanced her role as a respected leader and as a loving mother. She loved her city of New Orleans. In fact, she lived on Bourbon Street in New Orleans for many of her later years. She loved her beloved Tulane University. In fact, just recently, she and her daughter Cokie participated in a fundraiser to benefit Tulane University just a few weeks ago in New Orleans.

She is somebody who will be dearly missed and someone whom we are honored to be able to call a former colleague of ours here in the House.

REMEMBERING LINDY BOGGS

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

Mr. RICHMOND. Mr. Speaker, I join my colleague from Louisiana, Representative SCALISE, and our leader, Leader PELOSI, in recognizing such a great and remarkable woman. It is with a heavy heart that I rise to recognize the loss of a true legend in Louisiana, Ambassador and former Representative Lindsay Boggs.

She was the perfect example of leadership—never afraid to fight for justice and to demand equality. She took the responsibility of service seriously, addressing the plight of everyday people, and the State of Louisiana and our Nation are better for it. She was a first-class woman who enjoyed numerous firsts and was an effective legislator. She loved this body, earning the respect of her colleagues on both sides of the aisle, which is exemplified here today through Congressman SCALISE and me, and she loved her family—a role model for all of us.

During Women's History Month this year, we were able to recognize former Ambassador Boggs on her 97th birthday with a tribute, which was led by our leader, Leader PELOSI.

Mr. Speaker, after words from Leader PELOSI, I would just ask that we have a moment of silence in recognition of the great contribution and sacrifice of a true, remarkable Louisiana citizen who, I think, displayed what was best of the best in Louisiana.

REMEMBERING LINDY BOGGS

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

Ms. PELOSI. Mr. Speaker, I thank the gentlemen for the kind words that they have said about our former colleague, Congresswoman Lindy Boggs, and I associate myself with their remarks.

I will only add that bipartisanship was the nature of how Lindy Boggs led and served in this body. When we would have our heated discussions on the floor, she would call us back and say, ''Darlin', Hale used to always say, 'Don't fight every fight as if it's your last fight.''' We are all friends. We are a resource to each other to do good things for our country. No wonder a room is named for her, a room that has shared bipartisan enjoyment and participation, in which we have come together as Democrats and Republicans to bring about solutions.

It was referenced that we had a bipartisan tribute to her on her birthday, March 13. I think you would find some joy in the fact that, as a devout Catholic, on her birthday, which was when we planned to have the tribute, it was the day that white smoke went up in the chimney in Rome. So, for her birthday, we could also celebrate a new Pope, Pope Francis. What better gift for her than to enjoy that on her birthday?

All of us are mourning and will be in New Orleans for her service tomorrow. Our prayers go to her family. I hope it's a comfort to them to know that so many people loved Lindy Boggs and share their grief and are praying for them at this time.

ECONOMIC IMPACTS OF NATURAL GAS PRODUCTION

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the bipartisan Congressional Natural Gas Caucus convened a congressional field hearing on Friday at the Pennsylvania College of Technology in Williamsport, Pennsylvania. I am proud to have joined Representatives GENE GREEN, TOM REED, and TOM MARINO to hear from State and local officials and leaders on the economic impacts of natural gas production in the Marcellus shale region. The hearing offered an insightful look at the benefits of the 3,551 gas-producing wells in Pennsylvania.

One of those benefits is jobs. Today, 30,752 people in Pennsylvania are employed in the natural gas industry. This is a 164 percent increase since 2009. The average salary is $82,643. Additionally, 214,302 are employed in ancillary industries, a 7.9 percent increase since 2009. In just two rural northern Pennsylvania counties, testimony revealed an increase of 4,832 jobs and 226 businesses between 2006 and 2012. Most importantly, 80 percent of those jobs are now filled by local workers.

Mr. Speaker, the responsible production of natural gas is producing energy security and an economic impact that surpasses all expectations.

MR. SPEAKER, CANCEL THIS RECESS

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

Mr. NOLAN. Mr. Speaker and Members of the House, I am calling on the Speaker to cancel or to postpone the August recess until we get our work done here.

As a businessman, the last thing I would ever consider doing is giving my employees a month or 5 weeks off when we're not getting our job done.

Mr. Speaker, you're the boss. You set the schedule, and you put together the work agenda. The simple truth is that this Congress is being recognized as the least productive or accomplished in the history of this country. We have an appropriations bill; we have budget bills; we have the farm bill; we have immigration; we have the President's jobs bill; we have the debt ceiling limit; we have Members of Congress threatening to shut down the government—and we're going on a recess? It makes no sense whatsoever.

It's time that this Congress goes to work, puts the subcommittees to work, goes to work 5 days a week like everybody else in America, and does its job. Put America back to work. Rebuild the middle class. Get this country moving again.

Mr. Speaker, cancel this recess.

KEEP THE IRS OFF YOUR HEALTH CARE ACT

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

Mr. PITTENGER. Mr. Speaker, I rise today with a few questions:

Should 16,000 IRS bureaucrats have the power to penalize the American people if they don't like your health care decisions?

Will the quality of your health care depend on whether or not you support the President's political views? The IRS has already targeted conservative political groups. Will this intimidation be intensified once the IRS is enforcing ObamaCare?

Is Sarah Hall Ingram, the IRS bureaucrat who previously managed the tax exemption department, really qualified to run the IRS-ObamaCare enforcement division? Abuse of American citizens occurred on her watch. Is anyone worried—at least a little bit—that she now oversees our health care decisions?

Mr. Speaker, the IRS has forfeited any claim to impartiality and has violated the trust of the American people. The IRS must not be involved in the health care decisions of ordinary Americans. On Friday, I urge you to join me in supporting H.R. 2009, the Keep the IRS Off Your Health Care Act.

□ 1215

JOBS, JOBS, JOBS

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

Ms. WILSON of Florida. Mr. Speaker, it's now been 941 days since I arrived in Congress, and the Republican leadership has still not allowed one single vote on serious legislation to address our unemployment crisis.

According to a new survey by the Associated Press, 80 percent of adults experience either prolonged unemployment, a year or more reliance on government aid such as food stamps, or poverty-level income at some point in their lives. That's four out of five Americans experiencing severe economic insecurity at least once.

Mr. Speaker, is this the land of opportunity? The people demand a remedy.

It's time to bring the American Jobs Act to the floor. It deserves a vote. The American Jobs Act prevents layoffs, invests in long-term job creation, and expands workforce training.

Mr. Speaker, the mantra of this Congress should be: jobs, jobs, jobs.

IN DEFENSE OF FREEDOM

(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, I rise today in defense of freedom. I rise in defense of the ideals that our Founding Fathers fought and bled and died for. I believe we are in a fight for the very heart and soul of our country.

We know that IRS agents targeted conservative groups and individuals. No one has been held to account for this. Such arrogance and impunity cannot go unanswered.

We know that Federal regulations are being proposed that will cost trillions of dollars and millions of jobs. These regulations are being proposed without any transparency or accountability to the people. Such arrogance cannot go unanswered.

Thanks to this administration, more and more Americans believe in the idea of Big Government. We have Benghazi. We have ObamaCare. We have the politicization of the Justice Department. We have government snooping on journalists.

The Federal Government was created to serve the people, and it is now standing with its boot on the necks of the people.

Our Founding Fathers would not recognize the Nation that we have become. We can change this. Join with me as we fight to overcome government abuse.

IN OPPOSITION TO CUTTING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

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

Mr. HIGGINS. Mr. Speaker, I rise in strong opposition to the 50 percent cut in the Community Development Block Grant program in the Transportation-Housing and Urban Development bill currently being considered. This cut is reckless and punitive to communities in need.

This year, western New York communities are scheduled to receive a total of $22.2 million, which they plan to use to improve public infrastructure, policing facilities, and fund economic development initiatives. The bill before us cuts that funding in half to $11 million next year.

Cutting Community Development Block Grant funding is completely counterproductive and will cost the country in the long term. These cuts will erode community revitalization and job creation, only adding to the financial burden on our Federal budget in the long run.

I urge the House to reject these cuts to our communities and defeat this shortsighted bill.

VOTE AGAINST ADJOURNMENT

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

Mr. WITTMAN. Mr. Speaker, I rise today with disappointment because Congress plans to adjourn without addressing critical issues important to the American people.

It shouldn't take a government shutdown threat in September each year to will Congress to do its job. It also should not be difficult to achieve an efficient, lean, and functional government with a real budget and appropriations blueprint.

I appreciate that district work periods allow Members to visit with folks back in their community, but this August the work is too important. Unfortunately, Congress has not completed the job it needs to. It has not completed the work of the people. Too much unfinished business requires some overtime and it begs Members to stay and finish.

Let's clear our schedules, vote against the adjournment of Congress for the month of August, and stay in Washington to finish the business of the people.

As I was last August, I'm prepared to stay in Washington as long as it takes. These issues are too important to wait.

IN OPPOSITION TO CUTTING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

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

Mrs. BEATTY. Mr. Speaker, I rise in opposition to the deep and drastic cuts to the Transportation-HUD appropriations bill.

In existence since 1974, the CDBG program has invested $135 billion to local communities. In this Chamber, it is often said that we need to make sure that government is more efficient and reduces wasting taxpayers' dollars. Well, I am happy to report that this program continues to be one of HUD's most efficient programs, with grantees devoting on average 94 percent of CDBG funds directly to efforts that provide benefits to low- and moderate-income families. The Republican chairperson has said, ''Cutting over $7 billion in programs was very challenging.''

Well, Mr. Speaker, I say if this Chamber cuts these programs that provides jobs and infrastructure development, I can assure you that the children, the seniors, and the families helped by these programs will find it much more challenging dealing with $7 billion in cuts.

I urge you to oppose these cuts.

HOLDING ATTORNEY GENERAL HOLDER ACCOUNTABLE

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

Mr. GOSAR. Mr. Speaker, I rise today to address truly disturbing comments President Obama made during his hour-long speech on July 24. He mentioned ''an endless parade of distractions and phony scandals,'' as if to belittle the significance of these stories. Well, there's nothing phony about the deaths linked to Attorney General Holder's Operation Fast and Furious.

Beside me is a photo of blood running through the streets of Mexico, the blood of high school students murdered by guns Holder's DOJ sold to Mexican drug cartels. This massacre is far from phony, Mr. President. Brian Terry, the Border Patrol agent murdered by violent criminals whom Holder's DOJ gave the guns to, is definitely not phony.

These deaths are real.

What else is real? Attorney General Holder's violation of the law, the ramifications of which are far from phony. As Supreme Court Justice Brandeis said:

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

I ask you, has the Attorney General invited anarchy?

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

THE ANNIVERSARY OF MEDICARE AND MEDICAID

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

Mr. LOEBSACK. Mr. Speaker, today I rise to recognize the 48th anniversary of Medicare and Medicaid.

I grew up in poverty, and my grandmother often relied on Social Security survivor benefits to put food on the table. I know firsthand how important initiatives like Medicare and Medicaid are to seniors and families in America. No senior should have to make the choice between putting food on the table and paying for their medication.

Our country's retirees have paid into Medicare their entire lives. That is why it is so critical that those who have worked hard get their earned benefits.

Medicaid is critical to low-income families and individuals with disabilities that depend on the program for their basic health care needs, many of whom are struggling just to get by.

I look forward to continuing to work to strengthen and protect Medicare and Medicaid to ensure that the promise of health and economic security will be there for generations to come.

THE FATHER OF FRACKING

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

Mr. WEBER of Texas. Mr. Speaker, last week, Texas and America's energy industry lost a friend. George Mitchell, who many knew as the ''father of fracking,'' passed away last week at his home in Galveston, Texas. While his death is a sad occasion, his legacy will live on as the energy industry continues to grow and prosper. Texas now stands ranked as No. 14 in the world in oil and gas production, largely due to Mr. Mitchell's innovation.

Not only was George an energy innovator, he was a community builder. He was a visionary. He developed the Woodlands Master Community when many just saw it as useless swampland. Mr. Mitchell also played an integral role in reviving what I consider a precious gem in my district: the island of Galveston. George and his wife put countless hours and resources into restoring the strand which helped keep the island a popular tourist destination and number one in Texas, for that matter.

It's important that we remember George Mitchell not only for his contribution to Texas business, but also for his zeal and tenacity to give back to the communities where he lived and worked.

I'm RANDY WEBER, and that's the way I see it from where I sit here in America.

RECOGNIZING DR. EMILY RUFFO

(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'm proud to recognize Dr. Emily Ruffo, administrator of the Hayward Police Department's Youth and Family Services Bureau, who has been named the California School Resource Officer Association's Law Enforcement Administrator of the Year. She'll be honored with this award today at the School Safety Conference in Anaheim.

She's been helping kids and families for years, joining the Hayward Youth and Family Services Bureau in 2011. Just this year, Dr. Ruffo was promoted to be administrator of the bureau, and her work has been a great help to Hayward and the entire 15th Congressional District.

The bureau Dr. Ruffo leads offers services to youth such as counseling to help keep kids out of trouble. For kids who have violated the law, it offers an alternative to juvenile justice to get them back on the right track. As a former prosecutor in the Alameda County District Attorney's office, I've worked closely with the Hayward Police Department and know how important this program is.

Dr. Ruffo is rightly being recognized for her commitment and care for the children and families of the East Bay. It's people like her willing to dedicate their careers to helping those at risk who are helping to provide us with a brighter future.

On behalf of the people of Hayward and the entire 15th Congressional District, I want to thank Dr. Ruffo for her service, congratulate her on her award, and wish her continued success.

REGULATING THE RABBIT

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

Mrs. HARTZLER. Mr. Speaker, Washington bureaucrats are up to their old tricks again. They're interfering with how we run our businesses, dictating the type of health insurance we have to purchase, and stonewalling tax-exempt status based on political speech. Now they're going so far as to tell magicians how to do their magic shows.

Let me introduce you to Marty Hahne. He's an area magician from Missouri who's been doing magic shows for children in southern Missouri for over 27 years. This summer, he received a chilling letter from the Federal Government requiring him to have a license. Not for himself, but for his rabbit. The Agriculture Department is interpreting a decades-old law on animal exhibitions to now include pet bunnies used in magic shows. In order to continue conveying to children that reading is magic, he has to not only obtain a license, but also write a mandated disaster plan for his rabbit, including provisions for fire, floods, tornados, ice storms, and power failures.

This is just another example of government overreach and loss of freedoms in our country. It is time for this to stop. It is time for common sense to prevail. It's time for Big Government to leave us alone. With the track record of this current administration, that really would be like pulling a rabbit out of a hat.

CANCEL THE RECESS

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

Mr. COURTNEY. Mr. Speaker, I wrote the following letter to the Under Secretary of Defense a few days ago:

> Just this past Saturday, I attended a welcome home event for the 1109th TASMG, the Connecticut National Guard, who spent the last year in Afghanistan providing critical maintenance for our helicopter fleet.
>
> Their joy at being home with family was undermined by the reality that nearly a third of the 100 returning members are dual-status technicians and, therefore, hit by furlough. After serving in a war zone away from family, it was a bitter pill for these patriots to lose 20 percent of their pay almost immediately upon their return.

I do believe that the Department of Defense can do a better job managing the furloughs. However, the real responsibility rests in this Chamber to turn off sequester. It has been 210 days since the governing Republican majority took power, and 81 legislative days that we have not taken up one measure to turn off sequester during that time. Incredibly, in 3 days, we are going on a 5-week recess, and on Friday we're going to vote for the 40th time to repeal the Affordable Care Act. I have a news flash: it's not going anywhere.

We should cancel the recess, and we should focus on making sure that these patriots are not treated so shabbily. We should make sure that the 600,000-plus civilian DOD Federal employees have their furloughs turned off.

Cancel the recess. Let's turn off sequester. Let's stand up for America's middle class.

WASHINGTON NEEDS HOOSIER COMMON SENSE

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

Mrs. WALORSKI. Mr. Speaker, when I was back in the district this week in Indiana, Hoosier requests were pretty simple. They said: work on reforms, create more jobs, and jump-start the economy. In addition they said, We don't trust our government.

They're tired of Big Government policies that are intruding on the lives of American citizens and increasing government abuse. That's why I'm proud today to cosponsor and support bills that rein in Washington, refocus on the priorities to create jobs, and protect our citizens.

Every week we hear chilling reports about the Internal Revenue Service exercising poor judgment, intentionally going after American citizens. So I'm cosponsoring the STOP IRS Act.

While IRS employees are under investigation or forced to take administrative leaves, they continue to receive salaries funded by our taxpayer dollars. So I'm cosponsoring the Government Employee Accountability Act to freeze pay and demand accountability.

It's been reported that the IRS spent $15 million between 2010 and 2012 to hold lavish, indulgent conferences. So I'm cosponsoring the Stop Playing on Citizens' Cash Act to stop wasting our tax dollars.

These same individuals are set to lead a commanding role implementing and enforcing ObamaCare. So I'm cosponsoring the Keep the IRS Off Our Health Care Act to prevent this agency from getting their hands on our health care.

Washington needs a strong dose of Hoosier common sense. I'm proud to stand with the thousands of letters and phone calls from Hoosiers and put the brakes on this reckless government.

□ 1230

ECONOMIC EFFECTS OF IMMIGRATION REFORM

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

Ms. BROWNLEY of California. Mr. Speaker, I rise today to remind my colleagues and the American people just how important passing comprehensive immigration reform is to the growth of our economy.

Study after study has shown that successful implementation of comprehensive immigration reform will strengthen agriculture, cut the deficit, create manufacturing and job opportunities, and put hundreds of thousands of Americans back to work. This will increase our country's GDP and pump billions of dollars into our economy.

Here in Congress we talk a lot about creating jobs and growing the economy, but now it is time to act. I urge my colleagues to join me in supporting comprehensive immigration reform for our economy and for the future of our country.

REPEAL MEDICAL DEVICE TAX

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

Mr. MESSER. Mr. Speaker, the President's $30 billion excise tax on medical device manufacturers is bad for America. The tax is costing jobs, particularly in Indiana, and limiting patient access to lifesaving devices and therapies. We should not be putting American manufacturers at a competitive disadvantage and forcing Americans to look beyond our shores for care simply to pay for the President's broken health care law.

There are more than 26,000 Hoosiers employed by the medical device manufacturing industry and thousands more whose jobs are supported by the industry. The Indiana General Assembly has passed a resolution calling for repeal of the tax. This House should pass H.R. 523, the Protect Medical Innovation Act, to repeal the tax, preserve patient access to care, and save these Hoosier jobs.

COMMUNITY DEVELOPMENT BLOCK GRANTS

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

Mr. VEASEY. Mr. Speaker, I rise today to shed light on the importance of the Community Development Block Grant Program. This program provides urban communities with vital resources needed to address a wide range of community development needs, growing local economies, and improving the quality of life for low- and moderate-income citizens.

Since the start of the program, the Community Development Block Grant program has invested over $135 billion in local economies by helping families, creating jobs, supporting businesses, improving infrastructure, and providing housing to many Americans who are in need.

The program has provided the great State of Texas with over $60 million in direct grants this year alone, with over $28 million going to the Dallas-Fort Worth metroplex. Funding for this program is vital to the constituents of the 33rd Congressional District. It has assisted homeowners with rehabbing their homes, providing downpayment and closing cost assistance to qualified home buyers; funded public improvements; provided public services, including employment training, meals and services to the elderly.

The appropriations bill up for vote this week cuts the fiscal year 2014 budget for these grants nearly in half. This is the lowest level of funding in history. I urge my colleagues to vote ''no'' and save this important program.

STOP GOVERNMENT ABUSE

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

Mrs. WAGNER. Mr. Speaker, today the House will vote on a series of bills that aim to stop government abuse. Mr. Speaker, it is extremely disheartening that the Federal Government has acted and continues to act in a manner that cultivates distrust. Unfortunately, there are countless examples of misconduct among the Federal agencies, ranging from the IRS discriminating against conservative groups, to denying American citizens their constitutional rights in administrative proceedings.

Over the past month, I have heard from 1,187 of my constituents regarding their distrust in government; and as more activities of the agencies and the executive branch come to light, who can blame them. What is even more troubling than the misconduct itself is the fact that the President stands by it. Last week he called such transgressions ''phony scandals.''

These are hardly phony scandals. These are real and unconscionable actions taken by our Federal Government, and these actions are unacceptable. It is past time for us to do something about it.

We must take the necessary steps to start earning the trust of the American people, and that's why I back and have cosponsored several bills to be considered in the House this week. They are commonsense measures that work to begin restoring confidence in the American people.

IMMIGRATION REFORM

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

Mr. GUTIÉRREZ. Mr. Speaker, I did not expect to still be waiting for a vote on immigration reform in August. But here we are, 48 hours from leaving town for 6 weeks, and there has been no definitive House action.

Many of us will spend time with our children and loved ones, whether on vacation or just in the backyard. I urge my colleagues to think about the millions of immigrant families who are no longer able to spend time together—the mother who was deported yesterday; the sister who feared deportation and left last year; the tens of thousands who wait in line for visas; and the ones for whom there is no line available.

For those who are in detention, like the Dream 9 in Arizona, and the many others who, because of their status, a trip to the hospital or getting a traffic ticket could mean they never see their children again. The American Dream will end for 44,400 immigrants who will be deported between now and September 9. I hope they are in your thoughts.

Mr. Speaker, I will be inserting into the RECORD a letter from JARED POLIS of Colorado and myself to the President of the United States asking for the release of the Dream 9 held in detention in Arizona.

REPEAL OBAMACARE AND CUT TAXES

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

Mr. FLEMING. Mr. Speaker, President Obama says he now has serious ideas about taxes and job creation. I'd like to take him seriously, but the truth is that the President has spent the last 4½ years hammering the Nation's businesses with taxes, regulations, and ObamaCare. His business mandate has already forced many small businesses to convert full-time jobs to part-time jobs.

And let's remember the jobs that have already dissipated due to the medical device companies that are reducing employees to pay a new ObamaCare excise tax. One company has already terminated more than 1,000 workers.

As for taxes, the President's fiscal cliff deal pushes taxes up to as much as 45 percent for many small business

owners and investors. That simply diminishes their incentive to move forward with expansions that would create jobs.

So Mr. President, if you'd really like this economy to get going, let's start by repealing ObamaCare and cutting taxes.

The SPEAKER pro tempore. Members are reminded to address all remarks to the Chair.

MEDICARE AND MEDICAID ANNIVERSARY

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

Ms. DUCKWORTH. Mr. Speaker, yesterday marked the 48th anniversary of the establishment of Medicare and Medicaid. Since Medicare was signed into law in 1965, millions of Americans have relied on the crucial programs to live their lives in dignity, and millions more who have paid into the system are counting on Medicare to one day provide them with quality health care.

This historic commitment and pledge from our country is one of our greatest achievements. Seniors like my mother, and those living with disabilities, all understand the essential role Medicare plays in the lives of so many Americans.

In April, I held a roundtable with constituents in Elk Grove Village, Illinois. They all stressed to me the importance of protecting and preserving Medicare, but also on cracking down on abuse and fraud that exists in the program.

I have met with people living with disabilities who rely on these benefits for their health services. As we celebrate and acknowledge the great benefits of Medicare, it is important that we reinforce our commitment to the program, even as we cut down on the waste and fraud. We must continue our fight to strengthen and enhance Medicare and fulfill our 48-year-old promise to millions of hardworking Americans across this great Nation.

STOP OBAMACARE

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

Mrs. ELLMERS. Mr. Speaker, I rise today to speak in favor of H.R. 2009, the Keep the IRS Off Your Health Care Act. ObamaCare has proven to be a terrible law that will continue to hurt individuals, employers, and our health care system.

While accurate information regarding the law has been scarce, what we know for sure is that premiums are skyrocketing, American families are confused, and doctors and nurses are afraid they will not be able to continue to care for their patients.

Businesses across the country are being forced to not only adhere to the onerous paperwork requirements, but have been in a holding pattern for over 3 years waiting for implementation. Recently, we learned that the IRS has been targeting different groups and singling them out for intense scrutiny based on their political views. But as ObamaCare is set to be implemented, Americans are expected to trust the IRS with the responsibility of implementing this destructive law. This has proven to be unworkable and a dangerous path for our health care system and our country to be on.

CALIFORNIA AND RISING SEA LEVELS

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

Mr. LOWENTHAL. Mr. Speaker, climate change is a long-term threat to my home State of California and to all coastal States. Climate change will increase the risk of flooding and eventual submersion of millions of American low-lying homes.

Mr. Speaker, I hold up this article that a group of scientists from Princeton and the University of Arizona recently published, a journal article that quantifies State by State the coastal populations that are exposed to storm surges and sea level rise.

The researchers found that in California there are more than 138,000 housing units and over 325,000 Californians living on land that is below one meter of high tide. And in the entire United States, there are approximately 3.7 million Americans living on land below one meter of high tide.

Mr. Speaker, if Congress and the world does nothing, climate change will have a devastating impact on these 3.7 million Americans who are on the front line of climate change. And that number will only grow.

LETTER FROM A CONSTITUENT

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

Mr. SHIMKUS. Mr. Speaker, I come to the floor with a letter from a constituent, a businessman, and I will just read parts of it:

> I did not need to read about the ObamaCare health insurance tax increase that will be passed on to small businesses. It has already happened to my small firm. Last week I was advised by my insurance agent that Blue Cross and Blue Shield of Illinois is increasing my rates by more than 38 percent.
>
> I want to relay to you that due to a decrease in business, likely caused by uncertainty of our future, I have had to release one employee and have advised all remaining employees that the increase of health insurance premiums will be passed on to them. I was proudly able to pay 100 percent of employees' health care coverage, but after two consecutive 20 percent increases in the last two years, and the latest 40 percent increase, simple business logic requires that I pass on this increase or simply go out of business. My employees will have less take-home pay under ObamaCare. Does anyone in Congress realize that under this still uncertain program, it is more logical for me to shut down my business and take the subsidies on one of the exchanges than to remain open?

□ 1245

THE BIPARTISAN STUDENT LOAN CERTAINTY ACT

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in support of H.R. 1911, the Bipartisan Student Loan Certainty Act.

Last month, I urged my colleagues in this House to take up and help our students because the interest rate was going to double on July 1. The Senate has already acted, and this week we have a chance to make things right.

The Bipartisan Student Loan Certainty Act will not only reverse the July 1 student loan interest rate hike, but it actually makes things better for our students.

As students around the world are acquiring higher education, master's and training, it's imperative that our students here in this country also receive the opportunities to compete on a global scale. By making higher education more accessible, H.R. 1911 accomplishes that.

When it is signed by President Obama, it will give $25 billion in debt relief over the next 6 years. It will give students the ability to lock in the interest rate for the life of their loan so they know exactly what they are going to be paying in interest, and it will save thousands of dollars and lower interest payments.

I look forward to sending this bill to our President.

STOPPING GOVERNMENT ABUSE

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

Mr. HECK of Nevada. Mr. Speaker, in our Declaration of Independence, Thomas Jefferson wrote that governments derived their power from ''the consent of the governed.'' Years later, Abraham Lincoln called our American democracy a government ''of the people, by the people, for the people.'' What would these great men think if they saw the waste and abuse so rampant in our government today?

House Republicans are committed to maintaining a government that works for the American people, not against them. That's why this week we're bringing a number of bills to the floor to do just that. We believe in an America with expanded opportunity and a more secure future for all.

There's no place in that America for massive government overreach, and

that's why the House Republicans will continue to fight it.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 31, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 31, 2013 at 9:45 a.m.:

That the Senate passed without amendment H.R. 2167.

That the Senate passed without amendment H.R. 2611.

That the Senate agreed to without amendment H. Con. Res. 44.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

CITIZEN EMPOWERMENT ACT

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2711) to amend title 5, United States Code, to establish certain procedures for conducting in-person or telephonic interactions by Executive branch employees with individuals, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2711

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Citizen Empowerment Act''.

SEC. 2. AMENDMENTS.

(a) IN GENERAL.—Part III of title 5, United States Code, is amended by inserting after chapter 79, the following:

''CHAPTER 79A—SERVICES TO MEMBERS OF THE PUBLIC

''Sec.
''7921. Procedure for in-person and telephonic interactions conducted by Executive Branch employees.

''§ 7921. Procedure for in-person and telephonic interactions conducted by Executive Branch employees

''(a) PURPOSE.—The purpose of this section is to ensure that individuals have the right to record in-person and telephonic interactions with Executive agency employees and to ensure that individuals who are the target of enforcement actions conducted by Executive agency employees are notified of such right.

''(b) DEFINITIONS.—For purposes of this section—

''(1) the term 'telephonic' means by telephone or other similar electronic device; and

''(2) the term 'employee' means an employee of an Executive agency.

''(c) CONSENT OF EXECUTIVE AGENCY EMPLOYEES.—Participation by an employee, acting in an official capacity, in an in-person or telephonic interaction shall constitute consent by the employee to a recording of that interaction by any participant in the interaction.

''(d) NOTICE OF RIGHTS WHEN FEDERAL EMPLOYEES ENGAGED IN CERTAIN ACTIONS.—A notice of an individual's right to record conversations with employees shall be included in any written material provided by an Executive agency to the individual concerning an audit, investigation, inspection, or enforcement action that could result in the imposition of a fine, forfeiture of property, civil monetary penalty, or criminal penalty against, or the collection of an unpaid tax, fine, or penalty from, such individual or a business owned or operated by such individual.

''(e) OFFICIAL REPRESENTATIVE.—Any person who is permitted to represent before an Executive agency an individual under this section shall receive the same notice as required under subsection (d) with respect to such individual.

''(f) NO CAUSE OF ACTION.—This section does not create any express or implied private right of action.

''(g) DISCIPLINARY ACTION.—An employee who violates this section shall be subject to appropriate disciplinary action in accordance with otherwise applicable provisions of law.

''(h) PUBLIC INFORMATION CONCERNING RIGHT TO RECORD.—

''(1) POSTING ON AGENCY WEB SITES.—Within 180 days after the date of the enactment of this Act, each Executive agency shall post prominently on its Web site information explaining the right of individuals to record interactions with employees.

''(2) OMB GUIDANCE.—Within 90 days after the date of the enactment of this Act, the Office of Management and Budget shall issue guidance to Executive agencies concerning implementation of paragraph (1).''.

(b) CLERICAL AMENDMENT.—The analysis for part III of title 5, United States Code, is amended by inserting after the item relating to chapter 79 the following:

''79A. Services to members of the public ..... 7921''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, we have the author of this legislation before us, a principled Member of Congress who saw a problem and sought to fix it, and we brought it before you today. We brought it before you today because we hear, and hear rightfully, horror stories of harassment that includes Federal officials at the IRS, the EPA, the SEC, the FEC, and a list of other ABCs.

The truth is that in 39 out of 50 States, every Member on a phone, every American has a right to record that conversation without asking permission of that Federal officer on the other end. But in 11 States, States that most people don't know which is which, that is muddied. When a conversation occurs between two States, it is muddied.

The gentlewoman from Kansas (Ms. JENKINS), as the author of this bill, sought, in principle, to fix that, and I'd like to yield 2 minutes to her to explain her bill.

Ms. JENKINS. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his leadership on this very important issue.

Whether I'm talking to Kansans back home or listening to witnesses at Ways and Means hearings, I've heard story after story of Federal regulators abusing their power.

What is worse, many people are afraid to share their stories of harassment or other inappropriate behavior by government officials out of fear of retaliation. The Citizen Empowerment Act will give them certified proof and help to alleviate this fear.

This bill will give Americans a new tool to protect themselves and their businesses from government overreach and abuse by expanding the rights of all citizens to allow them to record meetings and telephone conversations with Federal regulators and officials. The Citizen Empowerment Act will also ensure individuals are made aware of this right by requiring government agencies to notify them of this right.

Not only do Federal agencies get to write rules, they get to enforce them, too. In fact, a citizen is 10 times more likely to be tried by a Federal agency than by an actual court, and citizens have fewer rights during agency proceedings than in a courtroom.

The Citizen Empowerment Act will give Americans a tool to even the playing field with Federal regulators by increasing transparency and accountability within the system.

Americans deserve a government who puts its citizens first, and this is exactly what this bill does. We spend far too much time in this body debating bills to empower the government. This bill empowers Americans.

Enacting the Citizen Empowerment Act and the other nine Stop Government Abuse bills will be a positive step toward getting Big Government out of the way of our economy and rebuilding trust that has been broken by rampant abuse of Federal power.

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

Mr. Speaker, I rise today in opposition to H.R. 2711. This legislation

would have a significant impact on law enforcement, and it would interfere with laws in a dozen States.

The Federal Law Enforcement Officers Association sent a letter to Chairman ISSA and me opposing this bill. This is part of what they wrote, and I quote:

As the chair and ranking member with jurisdiction over H.R. 2711, we urge you to ensure that the bill is not considered on the floor unless it is amended to exempt law enforcement in its provisions. Until that time, FLEOA will continue to strongly oppose this legislation.

They also wrote, and I quote:

The legislation puts law enforcement activities at risk and does a disservice to the brave men and women who are asked to put their lives on the line to protect us from terrorists and criminals.

They're not the only law enforcement organizations that oppose the legislation. The National Association of Assistant U.S. Attorneys also sent a letter opposing H.R. 2711. Here's part of what they wrote, and I quote:

The most disturbing aspect of the legislation involves its dramatically negative impact on civil and criminal law enforcement investigative efforts.

They went on to say, and I quote:

The version of legislation approved by the House Committee on Oversight and Government Reform on July 24 did not contain any exceptions. Clearly, this measure raises a magnitude of administrative and legal concerns that should be addressed before the House gives further consideration to approval of this legislation.

The committee held no hearings on the legislation and heard testimony from no law enforcement officials before marking up the bill, and now it is being rushed onto the floor in record speed with apparently no regard to its consequences to law enforcement.

The bill also would interfere with the laws put in place by 12 States to protect their citizens. For example, my home State of Maryland enacted a law in 1977 that made it a felony to record a private conversation unless every party to the conversation consents to the recording or another exception applies. This law was deliberately crafted to provide greater protection to Maryland residents.

H.R. 2711 preempts the laws of Maryland and other States that require all parties to consent to a recording. The bill deems Federal employees to have consented to a recording just by performing their official duties and does not even require that they be notified.

Maryland's statute requires actual consent, not forced or assumed consent. To assume a person consents to having their conversation recorded just by participating in the conversation undermines the State's laws, as well as those in California, Massachusetts, Michigan, Pennsylvania, and other States that require multiple-party consent for recordings.

Mr. Speaker, H.R. 2711 is a dangerous and poorly considered piece of legislation. I oppose this bill, and I urge all of my colleagues to do the same.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I would ask what day it is, what day of the month it is.

Mr. Speaker, is it the 31st day of July? Can you verify that for me? Because on the 24th of July, we amended this bill to send it to the House, and the ranking member knows full well, as I'm sure the National Association of Assistant U.S. Attorneys and the Federal Law Enforcement Officers Association know full well; and I'm shocked that they would write and that, in fact, the ranking member would write in a Dear Colleague, citing them, things that just aren't so in this bill.

Before us today we do not preempt States. As the ranking member rightfully so said, we make a statement on behalf of the Federal Government for our employees that we hereby consent that you may record us.

In 39 out of 50 States—there's a little ambiguity in that Montana allows these recordings; it just doesn't broadly allow them, but does recording for a law enforcement officer. But having said that, whether it's 11 or 12, the gentleman cited a portion of that letter from the National Association of U.S. Attorneys, but let me give you a portion that I want to make sure gets on the record.

It says, H.R. 2711 requires any employee of an executive agency, before or at a personal interview or telephonic interchange with an individual, to allow the individual to make an audio recording of the in-person or telephonic interaction.

We'll let that one slide. We'll go to the next sentence.

In addition, the legislation requires the executive branch employee to first provide notice to the individual of their right to make such a recording.

Mr. Speaker, that's just not true. We went through a long markup and, in that markup, in a manager's amendment, we made it very clear that the only notice the Federal Government would give would be a notice in its publications, Web sites, and so on letting Americans know that they no longer had to ask, if they were in Idaho, if, in fact, somebody calling them from Maryland did or didn't need to know that they were recording.

This interstate situation is one in which the American people deserve to know that they have a right to document when someone calls them, and if they trip up in that answer, they could go to jail or get a fine or lose their business.

Thirty-nine out of 50 States recognize it, and all we're saying, very clearly, is the Federal Government gives its approval.

These documents, sadly, were accurate, if you looked at the bill on the 23rd of July. The ranking member knows full well these documents are somewhat inaccurate. And his own letter implies that law enforcement will somehow be crippled by having to give notice. It's just not true.

In 39 out of 50 States, law enforcement would already know that somebody could be recording and not telling them. That's the law of those States.

□ 1300

But, more importantly, we're not affecting the ranking member's Maryland law enforcement. We're affecting Federal officers, such as the EPA, OSHA, and the IRS, when they call and ask you questions. And those questions could lead to real harm to you. And you would be able to document it. And if you're harassed, you'll be able to document it. That's what we're doing here today. We're empowering Americans to know that their Federal Government will never answer the question of, ''May I record this to protect myself? No.''

And in no way, shape, or form are these personal calls. This only affects when a member of our Federal employment is doing their official duty and calling a private citizen. Of course, the private citizen should have the rights since this isn't a personal call and one in which you should expect to be able to say whatever you want. These are not private. These are public conversations. These are public investigations. And the public should have a right to protect itself.

I reserve the balance of my time.

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

The gentleman is inaccurate. The fact is that when the bill came in, at first, we did apparently have certain exceptions for law enforcement, consistent with these concerns. That's not in the bill. As a matter of fact, just today, July 31, 2013, we have a letter from the Federal Bureau of Investigation Agents Association talking about the bill that's on the floor right now:

H.R. 2711 creates a broad right to record conversations with Federal employees and requires that the notices of the right to record conversations be provided to individuals engaged in discussion with Federal employees without any exceptions related to criminal investigations. This proposal risks undermining criminal investigations by reducing the willingness of individuals to cooperate with law enforcement and would result in the creation of recordings of law enforcement conversations that could jeopardize sensitive and important criminal and counterterrorism investigations.

That's from the Federal Bureau of Investigation Agents Association.

I yield 2 minutes to a distinguished member of the committee, the Congressman from the great State of Missouri, LACY CLAY.

Mr. CLAY. I thank the gentleman for yielding.

Mr. Speaker, I rise today in opposition to the bill, also. This bill would compromise the privacy rights of Federal employees and it would negatively impact law enforcement. The bill would assume that every Federal employee consents to having any conversation recorded as long as they are acting in an official capacity. The bill contains no exceptions for law enforcement or military personnel.

This bill is opposed by the National Association of Assistant U.S. Attorneys. In their letter, they said:

> Passage of this legislation, as approved by the House Committee on Oversight and Government Reform on July 24, will disserve the dedicated and brave public servants in United States Attorneys Offices and law enforcement who work tirelessly to pursue justice on behalf of the United States.

The National Treasury Employees Union also wrote in opposition to this bill. They said:

> H.R. 2711 provides that every official interaction by any executive branch employee, whether by telephone or in person, shall be allowed to be recorded by the other party. And in certain circumstances, these executive branch employees must notify the other party of their right to record or be subject to appropriate disciplinary action. No exceptions are made in the bill for law enforcement or other sensitive communications.

The Oversight Committee did not hold a single hearing on this bill. The bill was rushed through just to get it on the floor this week in time to fit the House leadership's message agenda. This is irresponsible legislating and should be defeated.

I urge my colleagues to vote ''no.''

Mr. ISSA. I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY), a longtime businessman and someone who knows firsthand about abusive governments.

Mr. KELLY of Pennsylvania. I thank the chairman.

Mr. Speaker, I rise in strong support of H.R. 2711. Let me tell you why.

I hear about protecting rights all the time and how important it is for the government to be able to do the things that they need to do. Let me tell you what it's like as a private citizen to be sitting in your office and getting a phone call from somebody that says, I'm sitting here in Detroit, I'm recording this, and I have a lawyer sitting beside me because we're going to put you out of business today.

And my response was, Give me a little bit of time. Let me get my lawyer, and let me get a tape recorder and tape what you're saying to me.

Now what's right anymore? Boy, have we confused things. Is this a government that works for the people or people that work for the government? My goodness, have we gotten things out of focus here.

We think we are so powerful, we are so intelligent. We have reached a level of arrogance that is unbelievable to the American people. Why do they no longer trust us? I can record you but you can't record me. I can have a whole list of everything that you've done, but God help you if you ever try to look into what I'm doing to you. Baloney. It's time for it to stop.

If we're really going to restore trust in this government, it's going to take both sides. This is not a Republican or a Democrat issue. This is an American issue. My goodness, how can we be so far from what the Founders envisioned when they had absolutely nothing to work for, nothing to work with—nothing but the providence and the hand of God in helping to form a government that is absolutely phenomenal?

We're sitting here today and saying it's not okay for a private citizen to record what this government is saying to them. Now the government can do just the opposite. And I don't want to get mixed up with what's legal, because we all know that what's legal has nothing to do with what's right. We've seen that too many times. We've watched it pushed back and forth.

And while it may be funny to some, I've got to tell you, it may be funny when you sit here, but I would love you to meet me in the private sector and get a phone call from somebody from the government. It is truly not just chilling; it is freezing. You have got to sit back and listen to these folks, and they're recording every single thing you say. God help you if you stumble or stutter. That's what they're looking for.

This gives the private citizens the same rights that they should have. This is a government that's supposed to work for the people and not the people working for the government. It's time to restore trust in this government.

Mr. CUMMINGS. I yield 5 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, I'm going to only speak once, even though there's seven bills. Time is short. We have just a few days left in the legislature until we shut down the government if we don't act. We passed three of the appropriations bills. My understanding is that the one we've had under consideration is not going to be brought to final passage. I may be incorrect in that, but that's the understanding. At least there's some talk about that.

This Congress has been the worst Congress for Federal employees that I have ever served in. The gentleman who spoke before me says he ran a business. If you treated your employees as we're treating our employees, they would have all quit. They would have all walked out. They would talk about the epithets that are used and that ''bureaucrats'' spit out as a pejorative term to the people who make this government run.

I don't know whether the gentleman read this in the paper today, but two of our largest financial institutions were fined very heavily for misconduct. Do people do things wrong? They do. They do them wrong in the private sector. They do them wrong from time to time in the public sector. Should we be concerned about that? We should be. Should we excise that kind of behavior from private and public sectors? Absolutely.

But I will tell you that these bills—and some of them are okay; they're somewhat redundant. The bill the gentleman speaks of—I just got on the floor when the gentleman was speaking so I don't know exactly what the circumstances are in terms of his being, obviously, from his perspective, threatened by the fact that somebody was going to record him. I understand his concern about that. Frankly, if they'd called me and done that, I would have said, very frankly, I'm going to hang up, and I'll talk to you later with my lawyer, and you're welcome to meet with me. I'm a lawyer so I would have advised him to do that.

That does not explain the torrent of antigovernment workers that we have seen from this Congress and, frankly, to some degree, from the last Congress. They can't strike. And because they have to support their families, they can't walk out. They don't have many tools. They have us, of course, who represent many of them, to stand up for their rights. But much more importantly, for respect from their employer, which they're not getting.

I would tell my friend that he can come with me. I was down at Pax River, a big naval base, talking about the 20 percent cut that we've asked people to take. They perceive it's because of our dysfunction and because we can't get our job done here, not because of anything they did wrong, not because of a lack of performance.

And I will tell my friend, Mr. KELLY, that an awful lot of my folks are saying, We want to be at work. We've got guys at the point of the spear relying on it, and we're not able to work on Fridays. But they're still fighting on Fridays. They're still at risk on Fridays.

And so when they see these bills, I tell my friend, it's a ''gotcha'' reaction they have. We'll get 'em. You didn't like being recorded, so your response is to do what you didn't like to them. Now my response, if I were them, is to say, Sorry, Mr. KELLY, I can't talk to you. If you're going to record me, I'm not going to talk to you. We'll put it down on paper, we'll do whatever. As you were concerned about that effort, understand their concern as well.

As I said, out of eight of these bills, four of them aren't too bad. Three of them, obviously, go to undermining due process. The gentleman talks about being concerned. One of the bills says: no due process. You're fired because I think you did something wrong. Not because I proved you did something wrong, not because maybe you did do something wrong. But because I think you did something wrong, you're off—and you're off with no pay.

Maybe the gentleman is asking Mr. ISSA whether in fact that's one of the bills, but I assure him it is.

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

Mr. CUMMINGS. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. HOYER. Mr. Speaker, I would suggest we're the employer, we're the board of directors. And I think, frankly, in the IRS case, we haven't proved

any wrong yet. There's been a lot of assertions but not much proof. We shouldn't go head-over-heels denigrating those folks on whom we rely to carry out the very policies we adopt.

Do we need oversight? Of course. Do we need honesty in performance of public duties? Absolutely. But we also need respect and consideration shown for those who work for America—the best civil service in the world. It's the most competent, best-educated civil service in the world, and we treat them as second-rate citizens. We ought not to do that.

We ought to reject this bill and a number of others of these bills. Let us think of our Federal employees. Because if we don't, we won't have the kind of government that America deserves and wants.

□ 1315

Mr. ISSA. I yield myself 10 seconds simply to say, you know, if two people take the Fifth when asked about their official conduct and there isn't a scandal, I'd be surprised to find that the gentleman from Maryland would find a scandal no matter what we find there.

Mr. HOYER. Will the gentleman yield on that?

Mr. ISSA. My 10 seconds has expired.

Mr. HOYER. I didn't think you would.

Mr. ISSA. Pardon me?

Mr. HOYER. I didn't think you would.

Mr. ISSA. I yield myself an additional 10 seconds and yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman.

Her lawyer, or the lawyers, because there was a criminal investigation underway, did what lawyers do in an abundance of caution. That, by the way, is provided for in the Constitution of the United States—I know the gentleman's read it. I've read it as well. So they were availing themselves of their constitutional right.

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

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

Mr. Speaker, the minority whip knows the Constitution. All of us have taken time to understand it. But when we investigate real wrongdoing—wrongdoing like the IRS, wrongdoing that the American people understand, it was just wrong. Even the President started off agreeing with that. Then somehow, whether it's IRS, Benghazi, Fast and Furious, or just somebody at the IRS putting a half-billion-dollar contract out to their buddy and then claiming that, as they got them to contract, that they didn't really know them well, somehow these become phony scandals.

There's only one scandal in Washington, and that's when we find things that are wrong and we don't fix them. We don't have to worry about who at the top is in charge, but we have an obligation to fix them. When people take the Fifth when you're asking simply questions about their official conduct, yes, that's the beginning of a scandal here in Washington—and if not here in Washington, around the rest of America.

I yield 1½ minutes to the gentleman from Texas (Mr. FARENTHOLD) to speak on the bill before us.

Mr. FARENTHOLD. Mr. Speaker, I'm troubled by the assertion that we don't treat our Federal employees right because we're asking them to do their job correctly and give their employers—we, the people, we, the taxpayers—the authority to make sure they're doing their job right when they call us by recording it, by giving us as taxpayers and as citizens the opportunity to avoid a he says-she says when a Federal agency, who has the power to fine us and get us through all kinds of trouble, calls us. We want to keep our evidence and we want to know.

The gentleman on the other side of the aisle talks about not treating the employees the same as the private sector. There are very few large companies I don't call that the first thing I hear is: ''This call is going to be recorded for quality assurance purposes.'' Well, we're giving the employers of the Federal employees—the taxpayers—the power to record those calls for quality assurance purposes.

Federal employees who are doing their job right, who are not intimidating taxpayers, have nothing to hide. We don't want to record their private conversations on their cell phones. We don't even want to get that metadata. We just want to record what the Federal employee is saying to us in the course and scope of his employ at our tax dollars' expense.

Mr. CUMMINGS. Mr. Speaker, may I inquire as to how much time each side has remaining?

The SPEAKER pro tempore. The gentleman from Maryland has 7 minutes remaining, and the gentleman from California has 7½ minutes remaining.

Mr. CUMMINGS. I yield myself 10 seconds.

Just listening to the arguments, this is why, Mr. Speaker, it would have been quite helpful to have had a hearing on the bill so that we could flesh through some of these concerns.

With that, I yield 2 minutes to my distinguished colleague, a member of the committee, the gentleman from the great State of Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my friend and colleague from Maryland.

Mr. Speaker, I want to echo what the distinguished minority whip had to say. These bills were rushed to the floor. They've been long in the planning on the Republican side of the aisle. They passed out of our committee on a party-line vote. Hearings were not held. And little niceties like the fact that there wasn't a law enforcement exemption on this particular bill get overlooked in drafting when you rush to the floor like this.

But of course the purpose of these bills is not really to protect American citizens, though we could have done that. Because I would say to my friend from Pennsylvania (Mr. KELLY), I'm deeply sympathetic to the plight he found himself in. I think we probably could have worked out a bipartisan set of proposals today that would have protected people like Mr. KELLY, now a Member of Congress and my friend from Pennsylvania. What he described is not acceptable and we do need to protect people from it, but that's not the purpose of these bills today.

The purpose of these bills is cynically political. It is to allow one side of the aisle, the majority, to go home and talk about an abusive government that they're standing up to. And in that narrative, you do terrible damage to the courageous men and women, the diligent men and women who serve our constituents, known as Federal employees.

It is part of a relentless—and I think reckless and inexcusable—attack on Federal employees, on public servants because it serves a political agenda. But the long-term cost is the disparagement of public service and the difficulty we are going to have in the outyears in recruiting and retaining talent for the workforce of the future. That's why I oppose these bills, because of the context.

We could have made them better. We could have made them bipartisan. We could have actually worked together. But there was a cynical calculation not to do that, because the purpose of these bills is to continue to use Federal employees as a political punching bag and to make some cheap, short-term political gains.

I thank the Ranking Member for yielding me time . . . and I appreciate his comments in support of our dedicated Federal workforce.

Mr. Speaker, I rise today in opposition to H.R. 2711, 2579, and 1541.

These misguided, anti-Federal workforce bills are just the latest partisan jab at the dedicated Federal employees who serve on the front lines, protecting and helping our constituents every day.

Yet, House Republicans routinely use them as a punching bag—chipping away at their pay and benefits; stripping them of due process rights and Constitutional Protections; while denigrating the very concept of public service on behalf of our fellow citizens.

Take H.R. 2711, the so-called Citizen Empowerment Act. This hastily drafted measure was introduced a mere 14 days ago, and is now being rushed to the floor without a single hearing examining the bill, or the issue it purports to address.

It is ironic that on a day when Republicans are pushing an anti-Federal Government message, they are seeking to ram through a partisan messaging bill that would actually empower the Federal Government to pre-empt 12 existing State privacy laws.

Further, it is simply inexcusable that in the Republicans' rush to produce a political press release, they have slapped together a measure that does not contain any law enforcement or sensitive information exemptions that may be necessary to protect ongoing law enforcement or intelligence investigations.

To be clear, I do not oppose the principle of allowing citizens to record conversations with Federal employees in the course of official business—in fact, in many situations that can already be done today.

What I am certain of is that this measure—which is opposed by the Federal Law Enforcement Officers Association and the National Association of Assistant United States Attorneys—is not ready for prime time.

Of course, this is not even the worst bill the majority is attempting to jam through. H.R. 2579, or as I call it, the "Fire First and Ask Questions Later Act," is even more egregious and indefensible than H.R. 2711.

Republicans are intent on pushing one's tolerance for cruel irony when one considers that again, under the auspices of an anti-Obama Administration messaging effort—Republicans have carelessly drafted provisions in this bill that would vastly strengthen the power of Obama agency leaders to unilaterally, and arbitrarily, fire career civil servants under a "guilty until you prove yourself innocent" construct.

H.R. 2579 makes a mockery of our Nation's long-held principles embodied in the Due Process Clause of the Fifth Amendment, and no Member of Congress would dare hold him or herself to a similar Kangaroo Court procedure that presumes an American is guilty until proven innocent.

It is the height of hypocrisy that some of my colleagues are willing to foist such a disgraceful system on our civil servants to score political points.

And finally, last, but certainly not least damaging, we have H.R. 1541, the Preventing Government from Acting Like a Business Act.

As I noted at last week's markup, if this bill were purely standing on its own merits, it may make sense in tough times.

However, H.R. 1541 must be seen in the context of the relentless assault on Federal employees that commenced when Republicans assumed the majority in the House.

My colleagues on the other side of the aisle appear unaware that SES pay is discretionary under a Republican-instituted pay-for-performance system.

Contrary to the Republican rhetoric of lavish, unearned bonuses for undeserving members of the SES—the reality is that Senior Executives receive performance awards, and do not receive guaranteed annual increases, cost-of-living increases, locality pay, or overtime compensation.

Almost across the board, members of the SES receive significantly lower compensation than their private sector counterparts. For example, the maximum salary for a Federal VA hospital director is $179,900, while the average salary of a private sector hospital director is $800,000.

This bill is a slap in the face to thousands of career Senior Executives who excel in their fields and serve our Nation with distinction. From winning Nobel prizes, to hunting down Osama bin Laden, members of the SES are an incredibly valuable resource that our Nation should cultivate—not demean and tear down.

And for my colleagues who would profess a concern for the deficit, I would, simply close by noting that in 2012, the 46 winners of the Presidential Distinguished Rank award collectively saved American taxpayers $94 billion in cost-savings and avoidances. Their bonuses were most definitely merited.

I urge House Republicans to finally relent in scoring cheap political points at the expense of our dedicated Federal workforce.

I hope all my colleagues will join me in standing up for our civil servants and opposing these cynical bills.

Mr. ISSA. I yield myself 15 seconds.

Mr. Speaker, there was only one amendment offered by the minority, and this bill passed unanimously on a voice vote. The gentleman on the other side could have asked for a recorded vote if he objected to it; he did not.

We are trying to give the 2 million men and women who are Federal workers the right to record when they're called. This is a right every American gets, including the Federal worker.

I reserve the balance of my time.

Mr. CUMMINGS. I yield 2 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the ranking member for yielding me this time.

I rise in strong opposition to H.R. 2711, the so-called Citizen Empowerment Act, that has been brought to this floor without a hearing.

While I do understand that the legislation purports to address accountability and transparency in the Federal Government, I am greatly concerned that H.R. 2711, in its current form, will actually have quite the opposite effect.

In particular, this bill would allow the recording of any telephonic or in-person conversation with a Federal employee that is conducted in an official capacity. Regrettably, however, the bill does not include critical exemptions pertaining to the discussion of classified information or conversations relating to sensitive Federal law enforcement or public safety investigations.

In light of this significant flaw in the bill, our Federal Law Enforcement Officers Association has underscored that, rather than enhance accountability in government, this bill would actually have a chilling effect on the ability of Federal law enforcement officers to perform their duties.

According to the association—and I'll quote them:

> Put simply, this legislation does not work in the context of Federal law enforcement and does a disservice to the brave men and women who are asked to put their lives on the line to protect us from terrorists and criminals.

For this same reason, the bill is also opposed by the National Association of Assistant United States Attorneys. Moreover, this legislation actually is evidence of a shift away from a greater transparency by failing to include a requirement that Federal employees receive fair notice that their official conversations are being recorded.

Importantly, 12 States, including my home State of Massachusetts, have enacted State laws requiring the consent of both parties to a conversation to give their consent. These States' efforts have been undertaken in the interest of government transparency. Regrettably, this legislation would unfortunately serve to undermine them and preempt them.

In addition, I would note that this bill would also serve to promulgate the severely misguided notion that our Federal workforce is not to be trusted.

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

Mr. CUMMINGS. I yield the gentleman an additional 45 seconds.

Mr. LYNCH. I thank the gentleman.

Let us remember that our Federal employees are dedicated public personnel who work at our veterans hospitals. I have three hospitals in my district. I know how hard they work. They protect our borders. They research cures for deadly diseases and provide key services in support of our Departments of Defense, State, and Treasury. They deserve better than this, Mr. Speaker. They deserve better than this legislation. I hope my colleagues vote against it.

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

I will read from the actual language, as amended, the bill before us today that says, ''Notice of rights when Federal employees engage in certain actions.'' It says:

> A notice of an individual's right to record conversations with employees shall be included in any written material provided by an executive agency.

Mr. Speaker, that's the only notice that's required in this bill. And that's simply, quite frankly, to let people know that it's a 50-State right, where today it's a 39-State right.

I appreciate the fact that unions and associations representing Federal employees have made statements. I just don't appreciate the fact that they've gotten the details of the actual bill wrong—and knowingly wrong, based on the dates of their letter.

More importantly, let's understand, this bill does not require verbal notice of a right to record given by a Federal official. It does not compromise that. More importantly, in 39 States, the public has this right; and in the other States, in most cases, the worst that would happen would be, if a person pulled it out, they might not be able to use it when trying to defend themselves.

But most important, this bill does not override existing Federal wiretap laws. Of course, if somebody's talking classified on an open telephone, yes, I'd like it recorded because I'd like them to be able to make the case that classified information is being inappropriately talked for. But it does not override the right to go into a classified session. But that better not be with the public generally. If you're discussing classified information, please understand that's a secure location.

So I won't accept these canards, these false statements as to what could happen, because it simply isn't in the four squares of the bill.

Mr. LYNCH. Will the gentleman yield?

Mr. ISSA. I yield to the gentleman from Massachusetts.

Mr. LYNCH. The gentleman misunderstands. The Federal employee doesn't know what is going to come out of the caller's mouth next, so classified information can come without notice.

Mr. ISSA. Reclaiming my time, classified information said by a Federal employee has an obligation to be said in a secure location. Of course, under the law, they can say no recording devices can be here in this secure location. But of course you go into a classified briefing, one, because you're cleared, and two, you go there knowingly. So let's not accept these kinds of things.

And let's understand, in 39 States, law enforcement is recording without the permission of the public—and more importantly, so is the IRS, the EPA, OSHA, Fish and Wildlife in many cases, or they're simply taking notes and holding you accountable. Remember, in America, if you answer the IRS wrong over the phone, you might very well get a bill; and your only ability to appeal that bill is to the IRS, and you must pay that bill before you can then go to the courts.

Let's understand, we're dealing in all kinds of agencies, and there are good people, lots of good people there. But on behalf of the 2 million Americans who work for the Federal Government, I want them to have the right to protect themselves by being able to have a right to record in all 50 States.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, as I close, let me say this. The chairman has made some allegations that things were not true—and I guess he's not talking about us, but I guess he's talking about the Federal Bureau of Investigation Agents Association in a letter that, just today, referring to what he just talked about, says—and I further quote from this letter of July 31, 2013:

> Also, by requiring written notices under the threat of disciplinary action, H.R. 2711 would create new administrative and bureaucratic requirements for agents conducting investigations. The time and the resources available to agents are already stretched too thin, and new administrative burdens make it more difficult for agents to protect the public.

That's from them.

By the way, the letters from the Association of Assistant U.S. Attorneys and the Federal Law Enforcement Officers Association, their opposition to this bill goes to the bill that is on the floor right now, so they have their concerns.

Again, I wish that this was something that we could have had testimony so that we could hear from those law enforcement agencies so that we could come to some type of agreement with regard to their concerns, but we did not have that opportunity.

□ 1330

Mr. Speaker, based upon the arguments that we've already made, I would urge Members to vote against this legislation.

I yield back the balance of my time.

Mr. ISSA. In closing, Mr. Speaker, we hold these truths to be self-evident: one of them clearly is our right of free speech; another, free association. But protecting from our government is what our Constitution is all about.

My Democratic friends want to talk about the good workers; but the ranking member knows well there are good workers, and there are some that aren't good. There are workers who would never call and harass somebody, and there are people who have threatened Americans repeatedly. We have whistleblowers, and we have proof of that. We have wrongdoing.

When you get harassed by the government or you simply want to make sure that you know what you said, you have the right to do it in 39 States. You have the right to do it in your State, but you may or may not have the right to do it in the other State which the Federal agency is calling you from. If you are a rancher—Fish and Wildlife, EPA, OSHA—these are not just names on a board; these are people who really affect your life and your liberty and your very commerce, your very ability to feed your family.

The minority whip talked about the Federal workforce not having a choice except to keep working because they need the money and they can't strike. We are not going to that issue. In the vast majority of States, this is already the law. They don't need the Federal Government's approval to record.

When we look at harmonizing how people in every State in the Union look to their government and expect their government to look to them, that is a solemn responsibility. We don't preempt States in any way, shape, or form. We simply make it clear that Americans have a relationship with their government that they can count on. One of them is if they get a harassing call from somebody, somebody who is out of line, or they're asked inappropriate questions, it won't be a ''he said, he said, she said, he said.'' They'll have the ability to record it if they choose.

Around here, we know that fact-based documentation and recordings have made a huge difference in finding out the truth about things that have happened. We also know that what people say is often discounted here, even when they're talking about horrific things that happened to them.

If we didn't have documents, not coming very quickly and usually blacked out, about the IRS's abuse of Americans simply trying to teach the Constitution or in some other way assert their rights of free speech, if we didn't have any documentation, it would just be a ''he said, she said.'' It shouldn't be a ''he said, he said.'' It should be absolutely something where you have that right.

I want all 2 million American Federal workers, I want State workers, I want everyone to know that they have this ability. And, yes, I want Federal workers to have an understanding that when they send an email out on the government email system, they, in fact, are sending out a public document, and it is going to be discovered potentially and used and they should be careful what they say or do, because they represent us, they represent the American people.

So, Mr. Speaker, this is a bill that didn't need a long set of hearings. I suspect that the same groups would object to it no matter how many hearings we had about Americans' right to life and liberty, their ability to assert what people would consider to be unalienable rights. We are not talking about a complex issue. We are talking about the vast majority of States have one rule, a few have a different rule, and as to Federal workers we are making the statement that we, their government, have decided that the answer if you're asked if you can record is, yes, and you don't even have to be asked.

Mr. Speaker, I thank you for your consideration, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 2711, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

GOVERNMENT SPENDING ACCOUNTABILITY ACT OF 2013

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 313) to amend title 5, United States Code, to institute spending limits and transparency requirements for Federal conference and travel expenditures, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 313

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Government Spending Accountability Act of 2013'' or the ''GSA Act of 2013''.

SEC. 2. LIMITS AND TRANSPARENCY FOR CONFERENCE AND TRAVEL SPENDING.

(a) AMENDMENT.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5711 the following:

''§ 5712. Limits and transparency for conference and travel spending

''(a) CONFERENCE TRANSPARENCY AND SPENDING LIMITS.—

''(1) PUBLIC AVAILABILITY OF CONFERENCE MATERIALS.—Each agency shall post on the

public website of that agency detailed information on any presentation made by any employee of that agency at a conference (except to the extent the head of an agency excludes such information for reasons of national security or information described under section 552(b)) including—

''(A) the prepared text of any verbal presentation made; and

''(B) any visual, digital, video, or audio materials presented, including photographs, slides, and audio-visual recordings.

''(2) LIMITS ON AMOUNT EXPENDED ON A CONFERENCE.—

''(A) IN GENERAL.—Except as provided under subparagraph (B), an agency may not expend more than $500,000 to support a single conference.

''(B) EXCEPTION.—The head of an agency may waive the limitation under subparagraph (A) for a specific conference after making a determination that the expenditure is justified as the most cost-effective option to achieve a compelling purpose. The head of an agency shall submit to the appropriate congressional committees a report on any waiver granted under this subparagraph, including the justification for such waiver.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a private entity to pay or defray the costs of a conference the total cost of which exceeds $500,000.

''(b) INTERNATIONAL CONFERENCE RULE.—An agency may not pay the travel expenses for more than 50 employees of that agency who are stationed in the United States, for any international conference, unless the Secretary of State determines that attendance for such employees is in the national interest, or the head of the agency determines that attendance for such employees is critical to the agency's mission. The Secretary of State and the head of an agency shall submit to the appropriate congressional committees a report on any waiver granted under this subsection, including the justification for such waiver.

''(c) REPORTING ON TRAVEL AND CONFERENCE EXPENSES REQUIRED.—At the beginning of each quarter of each fiscal year, each agency shall post on the public website of that agency a report on each conference that costs more than $10,000 for which the agency paid travel expenses during the preceding 3 months that includes—

''(1) the itemized expenses paid by the agency, including travel, lodging, and meal expenses, and any other agency expenditures to otherwise support the conference;

''(2) the primary sponsor of the conference;

''(3) the location of the conference;

''(4) the date of the conference;

''(5) a brief explanation of how the participation of employees from such agency at the conference advanced the mission of the agency;

''(6) the title of any employee, or any individual who is not a Federal employee, whose travel expenses or other conference expenses were paid by the agency;

''(7) the total number of individuals whose travel expenses or other conference expenses were paid by the agency; and

''(8) in the case of a conference for which that agency was the primary sponsor, a statement that—

''(A) describes the cost to the agency of selecting the specific conference venue;

''(B) describes why the location was selected, including a justification for such selection;

''(C) demonstrates the cost efficiency of the location;

''(D) provides a cost benefit analysis of holding a conference rather than conducting a teleconference; and

''(E) describes any financial support or other assistance from a private entity used to pay or defray the costs of the conference, and for each case where such support or assistance was used, the head of the agency shall include a certification that there is no conflict of interest resulting from such support or assistance.

''(d) FORMAT AND PUBLICATION OF REPORTS.—Each report posted on the public website under subsection (c) shall—

''(1) be in a searchable electronic format; and

''(2) remain on that website for at least 5 years after the date of posting.

''(e) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given that term under section 5701, but does not include the government of the District of Columbia.

''(2) CONFERENCE.—The term 'conference' means a meeting, retreat, seminar, symposium, or event that—

''(A) is held for consultation, education, discussion, or training; and

''(B) is not held entirely at a Government facility.

''(3) INTERNATIONAL CONFERENCE.—The term 'international conference' means a conference occurring outside the United States attended by representatives of—

''(A) the Government of the United States; and

''(B) any foreign government, international organization, or foreign nongovernmental organization.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5711 the following:

''5712. Limits and transparency for conference and travel spending.''.

(c) ANNUAL TRAVEL EXPENSE LIMITS.—

(1) IN GENERAL.—In the case of each of fiscal years 2014 through 2018, an agency (as defined under section 5712(e) of title 5, United States Code, as added by subsection (a)) may not make, or obligate to make, expenditures for travel expenses, in an aggregate amount greater than 70 percent of the aggregate amount of such expenses for fiscal year 2010.

(2) EXEMPTIONS.—The agency may exclude certain travel expenses from the limitation under paragraph (1) only if the agency head determines that inclusion of such expenses would undermine national security, international diplomacy, health and safety inspections, law enforcement, or site visits required for oversight or investigatory purposes.

(3) REPORT TO CONGRESS.—In each of fiscal years 2014 through 2018, the head of each agency shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing—

(A) the justification for any expenses excluded (under paragraph (2)) from the limitation under paragraph (1); and

(B) the positive or negative impacts, if any, of the limitation under paragraph (1) on the agency's mission, cost-effectiveness, efficiency, and ability to perform core functions.

(4) IDENTIFICATION OF TRAVEL EXPENSES.—

(A) RESPONSIBILITIES.—Not later than September 30, 2013, and after consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts, the Director of the Office of Management and Budget shall establish guidelines for the determination of what expenses constitute travel expenses for purposes of this subsection. The guidelines shall identify specific expenses, and classes of expenses, that are to be treated as travel expenses.

(B) EXEMPTION FOR MILITARY TRAVEL.—The guidelines required under subparagraph (A) shall exclude military travel expenses in determining what expenses constitute travel expenses. Military travel expenses shall include travel expenses involving military combat, the training or deployment of uniformed military personnel, and such other travel expenses as determined by the Director of the Office of Management and Budget, in consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Last year, the public became aware of the now-infamous GSA Las Vegas conference that cost taxpayers some $820,000.

In the wake of that public outcry, the Office of Management and Budget issued a May 2012 memo outlining new policies and procedures for Federal travel and conferences. In the memo, OMB told agency heads to reduce travel spending for fiscal year 2013 to 70 percent of the fiscal 2010 levels. Senior-level review was instituted for all events, with senior-level approval and public reporting for events costing some $100,000 or more, and a general prohibition on events costing half a million or more, unless the agency signed a waiver.

The Oversight Committee learned that in fiscal year 2012 alone, nearly 900 Federal conferences costing in excess of $100,000 were held. The total cost of these events exceeded $340 million.

H.R. 313 codifies OMB's travel and conference guidelines with some important changes. While exempting military travel, the bill eliminates loopholes in the OMB guidance in order to ensure that agencies actually achieve a 70 percent reduction in nonmilitary-related travel.

The bill also mandates transparency by requiring agencies to post online, on a quarterly basis, detailed, itemized reports of all conference spending. And it requires that materials presented at the conference by a Federal employee be made available online.

Last year, the House approved unanimously substantially similar legislation that was also reported from the Oversight Committee. I would like to thank Mr. FARENTHOLD for his leadership on this bill, and Mr. POCAN for

working with us at the committee markup to help make important improvements to this bill.

I urge all Members to support this good government and commonsense legislation, and I reserve the balance of my time.

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

I rise in support of H.R. 313, as amended. I support the intent of this legislation to reduce wasteful travel and conference spending and to shine light on the Federal Government expenditures in those areas.

The recent instances of excessive spending at a 2010 Las Vegas conference held by the General Services Administration and two 2011 Orlando conferences hosted by the Veterans Affairs Department gave good cause for the introduction of this measure. I believe that safeguards and heightened congressional and public scrutiny are needed to prevent incidents like those from happening again.

This bill is similar to legislation that passed the House in the last Congress and similar to administration guidance issued to agencies. Legislation would require agencies to reduce travel spending by 30 percent below fiscal year 2010 levels in each of the next 5 fiscal years and limit expenditures on any single conference to $500,000.

I also thank Chairman ISSA for working with us to make some changes to the bill to address some of our major concerns. We added language to the bill to allow agency heads or the Secretary of State to waive the 50 percent limit on the number of employees who may attend international conferences. This change was made to address concerns raised by Representatives RUSH HOLT, EDDIE BERNICE JOHNSON, and others in the scientific community about the potential negative effect of the limit on the free and open exchange of scientific and technical knowledge.

We also established $10,000 as the minimum threshold amount a conference would have to cost before agencies would be required to provide cost information in their quarterly reporting.

Lastly, we appreciate the addition of the language in the bill exempting travel expenses from the required 30 percent reduction when the reduction would undermine national security, international diplomacy, health and safety inspections of law enforcement, or site visits required for oversight investigations.

I believe that H.R. 313 has been greatly improved by the exchanges. I offer my support for this legislation, and I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield as much time as he may consume to my distinguished colleague from the State of Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Speaker, I appreciate the ranking member's support of this bill.

This is not an anti-travel, anti-conference bill. This is a commonsense transparency and good government bill. It was designed to stop wasteful spending.

You hear a lot of talk here around Washington, D.C., about we've got to stop the waste, fraud, and abuse. Well, we are doing that here today with H.R. 313. What we are doing is saying if there is a government conference, it needs to be for government purposes and real work needs to be done.

We are not asking the taxpayers to foot the bill for a vacation for Federal employees. We don't need clowns, we don't need mind readers, we don't need a Star Trek video, we don't need pictures of agency representatives in a bathtub with a glass of wine.

We need Federal employees conducting Federal business and doing what the taxpayers are paying them to do. Many of these conferences are great opportunities for training, great opportunities in the scientific community to move forward with advancements. But what we've got to do is make sure taxpayers' money is not wasted, that it is spent wisely. We need a culture in this government where Federal employees, each and every one of them, know it is not their money they're spending; it's the hardworking American taxpayers' money that they are spending.

That's what we are doing here today. We are putting limits on the amount that can be spent. In certain cases, you can go over these limits, but we need to have someone held accountable for these conferences. So when you get into the big-dollar amounts, an agency head, somebody who is politically accountable, has to sign off for it, somebody who actually is thinking all the time about what is the public going to think about this.

This is a great solution we've crafted in a bipartisan manner that doesn't end conferences, but promotes responsible conferences.

I urge my colleagues to vote ''yes'' on H.R. 313.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the gentlelady from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I thank the ranking member for the time.

I would first respectfully correct the record because the GAO conference was not in Las Vegas; it was in Henderson, Nevada, which is in District 3.

Like my colleagues, I believe that government agencies should spend every cent in the most careful and responsible way possible, and it is our job as Members of Congress to ensure that all government spending is effective and efficient.

While there are still improvements that can be made, and I agree with many of the comments that have been issued on the floor already, Congress and the administration have already taken many steps to eliminate excessive travel, require transparency, and improve oversight.

I rise today, however, because I believe that H.R. 313 sends the wrong message about business travel. I am proud to represent Las Vegas, one of the premier business destinations in the United States. Last year, we hosted some 21,000 meetings and conventions attended by almost 5 million business travelers. These business meetings supported 60,000 jobs with an economic impact of $6.7 billion.

Business travel is an important aspect of the economy, with over $250 billion in direct spending by business travelers, which supports 2.2 million jobs nationwide. Even in this age of technology, where lots of business is conducted via the Internet, small businesses across Nevada tell me all the time that the opportunity to meet face-to-face to discuss new programs, cultivate business at a trade show, or learn about new products and designs is just irreplaceable.

I look forward to continuing to work with my colleagues to cultivate this important aspect of our economy while also ensuring that our tax dollars are well spent.

□ 1345

Mr. MEADOWS. Mr. Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. HECK).

Mr. HECK of Nevada. Mr. Speaker, I rise in support of reining in excessive government spending and waste, and I thank my colleague from Texas for his work on this important matter.

As the Representative who represents Henderson, Nevada, I am pleased Congress and the administration worked together to reduce wasteful government spending and to prevent flagrant abuses of taxpayer funds on lavish conferences and travel. These efforts will certainly increase oversight and transparency. However, I urge my colleagues to avoid those unnecessary restrictions on government travel which could significantly affect conference cities like Las Vegas and Henderson.

Despite the inexcusable actions of a few, government conferences can benefit the public and private sectors and contribute to our economic health. Cancelling conferences outright solves nothing. The cancellation of a 2013 Military Health System Conference to train military medical personnel actually cost the government more than $800,000 in replacement expenses and lost revenue. I am concerned that those approving government conferences under these new standards may limit agency travel to specific geographic locations solely to avoid the perception of the misuse of taxpayer funds.

These decisions should not be about perception but should be based on cost-effectiveness, efficiency, and the best interests of taxpayers. That's why I cosponsored H.R. 1880, the Protecting Resort Cities from Discrimination Act, to prohibit Federal agencies from implementing policies that discourage travel to perceived resort or vacation destinations. Cities like Las Vegas, Henderson, and Orlando are equipped with an abundance of affordable rooms and conference spaces, and independent studies

confirm that the per attendee cost of government conferences is nearly half that of similar private sector conferences, but these cities should not suffer from poor judgment by a handful of government workers.

Again, I strongly support the efforts to eliminate the waste and abuse of taxpayer funds. Federal travel and conference participation benefits our economy when done appropriately and responsibly. So I support this legislation, and I ask to continue to work together to encourage accountability and transparency for government travel to ensure conference cities like Las Vegas, Henderson, and others can continue to provide their valuable services.

Mr. CUMMINGS. Mr. Speaker, I urge Members to support the legislation, and I yield back the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield 2 minutes to my distinguished colleague from the State of Florida (Mr. ROSS).

Mr. ROSS. Mr. Speaker, I rise today in support of the Government Spending Accountability Act, which will rein in out-of-control government spending by providing much-needed reforms and transparency for Federal employee travel and government-sponsored conferences.

As someone who introduced similar legislation last year, I want to thank Chairman FARENTHOLD for his continued work on this important issue.

Mr. Speaker, reports of lavish and out-of-control spending by various Federal agencies, most notably by the General Services Administration, have highlighted the need for serious reform for these types of fiscally irresponsible practices. However, other agencies have been responsible for carelessly wasting taxpayer funds as well.

One example of this waste took place an hour from my home in Lakeland, Florida. In 2011, the Department of Veterans Affairs held two human resources training conferences in Orlando, Florida, at a cost of $6.1 million to the taxpayers. Last year, an inspector general report published within the Department of Veterans Affairs found that the Department conference planners allowed up to $762,000 in unauthorized or wasteful spending. This included gifts, spa treatments, tickets for helicopter rides, and golf packages.

Mr. Speaker, the men and women in uniform are some of the best and proudest that America has to offer. They take an oath to uphold not only the Constitution of this United States but also to give the ultimate sacrifice of their lives. Here, the veterans administration agency, which is charged with making sure that their benefits are adequately and appropriately provided, has been indicted with wasting these taxpayer dollars. Unfortunately, at a time when veterans are waiting in line for benefits they fought and sacrificed to earn, taxpayers should not be subsidizing lavish hotel bills and golf outings.

Once again, I want to thank the chairman for introducing this legislation, and I encourage all of my colleagues to join me in passing this good government legislation.

Mr. MEADOWS. I want to thank the ranking member for his support of this legislation, and I urge all Members to support the passage of H.R. 313, as amended.

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

Mr. HOLT. Mr. Speaker, I thank the Chairman and the Ranking Member for making small changes to this legislation to address concerns that I raised about this bill last year. However, the premise of the bill remains the same and for that reason, I oppose H.R. 313, the so-called "Government Spending Accountability Act". H.R. 313 is fundamentally flawed because it would make significant changes to federal employees' ability to travel to conferences and meetings.

This bill institutes prohibitions and impediments that would hinder American scientists' ability to collaborate and communicate with scientists at other institutions and laboratories.

Although I appreciate the sponsors' efforts to ensure oversight on travel expenditures, I'm not sure they realize the impact that this legislation would have on science and technology, which is the engine of American innovation. The informal conversations, as well as the formal presentations and everything else that goes on between scientists from different institutions, from different countries, lead to new collaborations that have the promise of new discoveries. These are not fancy junkets.

Scientific conferences are critically important. For example, the American Chemical Society and, the American Physical Society have stated that the development of an anticancer drug was the result of collaboration between a team of scientists from three laboratories that took place at one of these conferences. This bill would hinder that kind of collaboration. In a time when the federal government should be making science a priority, passing a bill that would make scientists jump through hurdles and get around impediments would, in fact, weaken American scientists, weaken American science, and impede the ability of American scientists to innovate.

That is not wise. This is not the way to build our economy and to foster advancements in innovation. We should be investing more in research and development, which means, of course, investing in scientists, but also investing in their ability to pursue science.

Would Congress do better if we did not meet in person, if we stayed home and got on conference calls every once in a while? I don't think so. I think the gains that are made in good legislation that come from conferences, from working together as colleagues as we gather for votes, or in committees, are invaluable. The same can be said for scientific conferences—better innovation can occur when scientists meet together, face-to-face.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 313, as amended.

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

A motion to reconsider was laid on the table.

GOVERNMENT EMPLOYEE ACCOUNTABILITY ACT

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2579) to amend title 5, United States Code, to provide for investigative leave requirements with respect to Senior Executive Service employees, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2579

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Employee Accountability Act".

SEC. 2. SUSPENSION FOR 14 DAYS OR LESS FOR SENIOR EXECUTIVE SERVICE EMPLOYEES.

Paragraph (1) of section 7501 of title 5, United States Code, is amended to read as follows:

"(1) 'employee' means—

"(A) an individual in the competitive service who is not serving a probationary or trial period under an initial appointment or who has completed 1 year of current continuous employment in the same or similar positions under other than a temporary appointment limited to 1 year or less; or

"(B) a career appointee in the Senior Executive Service who—

"(i) has completed the probationary period prescribed under section 3393(d); or

"(ii) was covered by the provisions of subchapter II of this chapter immediately before appointment to the Senior Executive Service;".

SEC. 3. INVESTIGATIVE LEAVE AND TERMINATION AUTHORITY FOR SENIOR EXECUTIVE SERVICE EMPLOYEES.

(a) IN GENERAL.—Chapter 75 of title 5, United States Code, is amended by adding at the end the following:

"SUBCHAPTER VI—INVESTIGATIVE LEAVE FOR SENIOR EXECUTIVE SERVICE EMPLOYEES

"§ 7551. Definitions

"For the purposes of this subchapter—

"(1) 'employee' has the meaning given such term in section 7541; and

"(2) 'investigative leave' means a temporary absence without duty for disciplinary reasons, of a period not greater than 90 days.

"§ 7552. Actions covered

"This subchapter applies to investigative leave.

"§ 7553. Cause and procedure

"(a)(1) Under regulations prescribed by the Office of Personnel Management, an agency may place an employee on investigative leave, without loss of pay and without charge to annual or sick leave, only for misconduct, neglect of duty, malfeasance, or misappropriation of funds.

"(2) If an agency determines, as prescribed in regulation by the Office of Personnel Management, that such employee's conduct is flagrant and that such employee intentionally engaged in such conduct, the agency may place such employee on investigative leave under this subchapter without pay.

"(b)(1) At the end of each 45-day period during a period of investigative leave implemented under this section, the relevant agency shall review the investigation into the employee with respect to the misconduct, neglect of duty, malfeasance, or misappropriation of funds.

''(2) Not later than 5 business days after the end of each such 45-day period, the agency shall submit a report describing such review to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

''(3) At the end of a period of investigative leave implemented under this section, the agency shall—

''(A) remove an employee placed on investigative leave under this section;

''(B) suspend such employee without pay; or

''(C) reinstate or restore such employee to duty.

''(4) The agency may extend the period of investigative leave with respect to an action under this subchapter for an additional period not to exceed 90 days.

''(c) An employee against whom an action covered by this subchapter is proposed is entitled to, before being placed on investigative leave under this section—

''(1) at least 30 days' advance written notice, stating specific reasons for the proposed action, unless—

''(A) there is reasonable cause to believe that the employee has committed a crime for which a sentence of imprisonment can be imposed; or

''(B) the agency determines, as prescribed in regulation by the Office of Personnel Management, that the employee's conduct with respect to which an action covered by this subchapter is proposed is flagrant and that such employee intentionally engaged in such conduct;

''(2) a reasonable time, but not less than 7 days, to answer orally and in writing and to furnish affidavits and other documentary evidence in support of the answer;

''(3) be represented by an attorney or other representative; and

''(4) a written decision and specific reasons therefor at the earliest practicable date.

''(d) An agency may provide, by regulation, for a hearing which may be in lieu of or in addition to the opportunity to answer provided under subsection (c)(2).

''(e) An employee against whom an action is taken under this section is entitled to appeal to the Merit Systems Protection Board under section 7701.

''(f) Copies of the notice of proposed action, the answer of the employee when written, and a summary thereof when made orally, the notice of decision and reasons therefor, and any order effecting an action covered by this subchapter, together with any supporting material, shall be maintained by the agency and shall be furnished to the Merit Systems Protection Board upon its request and to the employee affected upon the employee's request.

''SUBCHAPTER VII—REMOVAL OF SENIOR EXECUTIVE SERVICE EMPLOYEES

''§ 7561. Definition

''For purposes of this subchapter, the term 'employee' has the meaning given such term in section 7541.

''§ 7562. Removal of Senior Executive Service employees

''(a) Notwithstanding any other provision of law and consistent with the requirements of subsection (b), the head of an agency may remove an employee for serious neglect of duty, misappropriation of funds, or malfeasance if the head of the agency—

''(1) determines that the employee knowingly acted in a manner that endangers the interest of the agency mission;

''(2) considers the removal to be necessary or advisable in the interests of the United States; and

''(3) determines that the procedures prescribed in other provisions of law that authorize the removal of such employee cannot be invoked in a manner that the head of an agency considers consistent with the efficiency of the Government.

''(b) An employee may not be removed under this section—

''(1) on any basis that would be prohibited under—

''(A) any provision of law referred to in section 2302(b)(1); or

''(B) paragraphs (8) or (9) of section 2302(b); or

''(2) on any basis, described in paragraph (1), as to which any administrative or judicial proceeding—

''(A) has been commenced by or on behalf of such employee; and

''(B) is pending.

''(c) An employee removed under this section shall be notified of the reasons for such removal. Within 30 days after the notification, the employee is entitled to submit to the official designated by the head of the agency statements or affidavits to show why the employee should be restored to duty. If such statements and affidavits are submitted, the head of the agency shall provide a written response, and may restore the employee's employment if the head of the agency chooses.

''(d) Whenever the head of the agency removes an employee under the authority of this section, the head of the agency shall notify Congress of such termination, and the specific reasons for the action.

''(e) An employee against whom an action is taken under this section is entitled to appeal to the Merit Systems Protection Board under section 7701 of this title.

''(f) Copies of the notice of proposed action, the answer of the employee when written, and a summary thereof when made orally, the notice of decision and reasons therefor, and any order effecting an action covered by this subchapter, together with any supporting material, shall be maintained by the agency and shall be furnished to the Merit Systems Protection Board upon its request and to the employee affected upon the employee's request.

''(g) A removal under this section does not affect the right of the employee affected to seek or accept employment with any other department or agency of the United States if that employee is declared eligible for such employment by the Director of the Office of Personnel Management.

''(h) The authority of the head of the agency under this section may not be delegated.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 75 of title 5, United States Code, is amended by adding after the item relating to section 7543 the following:

''SUBCHAPTER VI—INVESTIGATIVE LEAVE FOR SENIOR EXECUTIVE SERVICE EMPLOYEES

''7551. Definitions.
''7552. Actions covered.
''7553. Cause and procedure.

''SUBCHAPTER VII—REMOVAL OF SENIOR EXECUTIVE SERVICE EMPLOYEES

''7561. Definition.
''7562. Removal of Senior Executive Employees.''.

SEC. 4. SUSPENSION OF SENIOR EXECUTIVE SERVICE EMPLOYEES.

Section 7543 of title 5, United States Code, is amended—

(1) in subsection (a), by inserting ''misappropriation of funds,'' after ''malfeasance,''; and

(2) in subsection (b), by amending paragraph (1) to read as follows:

''(1) at least 30 days' advance written notice, stating specific reasons for the proposed action, unless—

''(A) there is reasonable cause to believe that the employee has committed a crime for which a sentence of imprisonment can be imposed; or

''(B) the agency determines, as prescribed in regulation by the Office of Personnel Management, that the employee's conduct with respect to which an action covered by this subchapter is proposed is flagrant and that such employee intentionally engaged in such conduct;''.

SEC. 5. MISAPPROPRIATION OF FUNDS AMENDMENTS.

(a) REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE.—Section 3593 of title 5, United States Code, is amended—

(1) in subsection (a)(2), by inserting ''misappropriation of funds,'' after ''malfeasance,''; and

(2) in subsection (b), by striking ''or malfeasance'' and inserting ''malfeasance, or misappropriation of funds''.

(b) PLACEMENT IN OTHER PERSONNEL SYSTEMS.—Section 3594(a) of title 5, United States Code, is amended by striking ''or malfeasance'' and inserting ''malfeasance, or misappropriation of funds''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on the bill under consideration.

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

There was no objection.

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

From Jeff Neely at the GSA to Lois Lerner at the IRS, the Oversight and Government Reform Committee has uncovered numerous examples of high-ranking government employees engaging in behavior contrary to the principles of public service.

In the private sector, these behaviors would be grounds for serious disciplinary action or termination. In some cases, these employees could face civil or criminal penalties—but not in the Federal bureaucracy. Only in Washington would these employees not be terminated but, instead, be placed on administrative leave with pay.

H.R. 2579 helps ensure Senior Executive Service employees are held accountable for their actions while maintaining existing due process rights. This legislation was unanimously approved by the Oversight Committee last week, and a similar version of this bill was passed by the House by a vote of 402–2 last Congress.

I want to commend the gentleman from Pennsylvania (Mr. KELLY) for his work on this bill, and I urge all Members to support its adoption.

I reserve the balance of my time.

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

I am no longer surprised, but I am saddened that the Republicans are

wasting the last few days before the August recess to vote on bills to repeal the Affordable Care Act for the 40th time and to continue their campaign to blame our country's civil servants for the challenges we face. We could be addressing the many serious and important issues facing our country, such as appointing conferees to negotiate a balanced budget to replace the harmful sequester, or passing legislation that would create jobs for the middle class, or voting on comprehensive immigration reform. Instead, Republicans are more interested in playing partisan games and in advancing political messaging bills.

Americans want Congress to focus on creating jobs and on growing our economy. The Democrats have put forward a responsible budget that invests in the future and in the middle class while taking a balanced approach to deficit reduction. Yet, Republicans refuse to listen, with a record defined more by what they have failed to do than what they have actually achieved.

It has been 209 days since the start of this Congress, and the Republicans have failed to pass a single jobs bill. It has been 129 days since the Senate passed a budget, and the Republicans have refused to appoint conferees to complete negotiations and resolve final legislation. Now Senators JOHN MCCAIN, SUSAN COLLINS, LAMAR ALEXANDER, and BOB CORKER have joined House Democrats in our calls to go to conference. Yet, here we are today debating on H.R. 2579, a bill that would strip due process protections from Senior Executive Service employees accused of wrongdoing.

This bill would give a politically appointed agency head broad discretion to fire Senior Executive Service employees without advance notice. The bill would provide no opportunity for a proper investigation or for employees to address the agency's concerns before such action is taken. H.R. 2579 would eliminate due process protections that were put in place precisely to protect civil servants from partisan, political influence. It would shift the burden onto employees to prove their innocence and seek reinstatement. This is contrary to the core legal principle of the American justice system—the presumption that one is innocent until proven guilty.

My Republican colleagues would have you believe that this is a bill needed to hold senior executives in our Federal Government agencies accountable. Although abuses committed by government employees certainly need to be addressed, denying due process rights to employees is not the appropriate way to do it.

There are existing procedures in place to deal with these challenges. Under current law, agencies may take action against senior executives for misconduct, neglect of duty, malfeasance, or the failure to accept a reassignment or a transfer of function. However, current law requires agencies to give Senior Executive employees 30 days' advance notice, among other rights, before disciplinary action is commenced unless there is reasonable cause to believe that the employee has committed a crime.

I believe that we need to strengthen and improve the agency implementation of existing disciplinary procedures rather than pass legislation that would abridge the fundamental rights of our public servants. This bill would fire accused employees first, then ask questions later. I am afraid agency heads could feel undue pressure in particularly high-profile cases to terminate employees without first conducting a thorough investigation to determine the facts. For these reasons, I strongly oppose H.R. 2579, and I urge my colleagues to join me in opposing this legislation.

With that, I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. For those of you up in the gallery, please put on your seatbelts. Again, this room is spinning so fast right now that it's hard to determine what's being said or why it's even being said. So, please, put them on. I don't want you to fall out of the gallery in trying to keep up with what's being said.

The SPEAKER pro tempore. Members are advised to address their remarks to the Chair and to refrain from referring to occupants of the gallery.

Mr. KELLY of Pennsylvania. My comment, Mr. Speaker, is I'm concerned about the safety of those watching today from the gallery. I just wanted them to be aware that there is a definite turntable here, and I'm really surprised that anybody can walk straight when they leave this room because of the spin that's put on everything. So my concern is for the safety of those watching today.

In going back to February 6, 1788, James Madison said to us, ''If angels were to govern men, neither external nor internal controls on government would be necessary.''

I've got to tell you that Madison is still alive, and he is alive on both sides of the aisle. What amazes me sometimes is how we get so far away from what it is that we are trying to do and who it is we are trying to protect. Now, I've heard the terms that—do you know what?—we're not protecting those who work for America. Let me tell you about those who work for America.

When I come out of my church on Sunday morning—out of St. Paul's, the 8 o'clock mass—I see all kinds of people who work for America. When I'm down at the Kmart, doing my shopping, I see all kinds of people who work for America. When I'm in Erie, Pennsylvania, I see all kinds of people who work for America—the same in Meadville, Pennsylvania, and the same in Butler, Pennsylvania. So I'm sometimes confused about who it is we're trying to protect. If it's truly those who work for America, it is those who work for America.

All of these folks behind me work for America. All of the people at our homes work for America, do they not?

Now the question is: Who looks after those people, those American taxpayers? When there is an abuse, my goodness, have we gotten to the point at which our only concern is for those who get a check that says it came from the United States Government?

I know who funds America. It is hardworking American taxpayers. That is why it's so unbelievable for me to sit here and listen to how we're not protecting those who work for America.

□ 1400

This is not about the men and women, the guys and gals that go to work every day for the government. The ranking member knows that this is not about stripping them of their rights. It truly is not. In fact, if you go to page 8, lines 15 through 17:

> An employee against whom an action is taken under this section is entitled to appeal to the Merit Systems Protection Board under section 7701 of this title.

Nobody is being stripped of anything. What we're doing is taking care of all those people who elected us to come here. I've got to tell you, I wasn't just elected as a Republican to come and take care of only those folks in my district that are registered Republican. I was sent here to represent everybody. I've never sat back and said, You know what? This isn't in the best interest of my Republican constituents. It helps my Democrat constituents. Since I'm a Republican, I'll game it, I'll spin it so that I can't vote that way. That's absolutely stupid.

Again, how far have we gotten from the initial message of what it is we're trying to do? The Government Employee Accountability Act—when we had the GSA hearing and the ranking member sat there, I said, Why is Mr. Neely on leave with pay when you know the IG had him under investigation? In fact, you bonused him money for the very same event that he's being investigated for. You bonused him, and then you let him go home to do what he wants to do. He's on leave with pay.

When I go back home, people ask me all the time, and I see their faces, and I can't look at them and say, You know what? What you don't understand is that in Washington, you can do the wrong thing and there's no accountability. Now, if you're back home in the private sector and you do the wrong thing, you're held accountable. What you have to understand is that you work in the private sector, not the public sector. They cry out for equal treatment. Not special treatment, not to be handled differently than anybody else. But they say, Mr. KELLY, if it's good for the goose, it's good for the gander.

Should not both sides of this aisle be concerned with what's right for the

American taxpayer? Should we not be concerned with what's right for American citizens? Should we not say to these same people who run these agencies, Look, we know you don't have the tools that you need—and that's what I was told by the GSA, that they put Mr. Neely on leave because they don't have any mechanism to do otherwise.

I don't want to keep beating up Jeff Neely, but by the same token, I refuse to keep beating up American taxpayers. If I don't have the stomach, if I don't have the backbone to do what's right, and if I can't walk a straight line when I leave here—this is not about taking the rights away from people who work for the government. Come on, guys. You know that.

Oh, my goodness. We've got to get together on this because this is not making sense to me. This looks like the back end of a frat party where everybody's kind a walking crooked coming out, trying to figure out what it is they did for the last 3 or 4 hours. I've got to tell you that this is common sense for America. If we cannot protect those who sent us here, if we cannot restore the trust of those who sent us here, if we're going to come here and debate and make a mockery and spin it to the point where it confuses the American people—this is not about taking anybody's rights away. This is about reinforcing the responsibilities of those who work for the American taxpayer, and that is all of us, both Republican and Democrat.

I've got to tell you what I've said before. There is no way I'll ever go back to northwest Pennsylvania and tell them, You just don't get it. See, the problem with you people is you're so busy working trying to make ends meet, you don't understand how government works. We can twist it. We can turn it. We can say anything we want. What we ask you is to believe. You know what the American people are telling us? I don't believe you any more. I don't trust you any more. I don't understand why I can be held accountable for everything I do, but other folks that work for me can do pretty much anything they want. Then we'll redeploy them. We'll push them off to another area. They won't lose a penny. We'll bring them back in under some other title, some other agency. All I want to do is give those managers of those agencies the tools that they have requested of us in Congress, give them the ability to hold people accountable.

Who am I talking about? I'm talking about the senior executives. I'm not talking about every gal and guy who walks into an office every day that does great work for the American people. Let's not get confused. So, please, don't spin it. My days of riding a merry-go-round are over, and so should yours be. We can fix this. We have to put things in there that make it possible to hold people accountable. The people that raised me, the people that I've worked for, the people that I have played under as coaches, hold you accountable for everything you do, and there are repercussions for doing the wrong thing. You don't give them a pat on the back and say, You know what? Go home for a while. Don't worry about your pay. The American taxpayer is going to pick up the tab on that. We'll keep you safe. We'll keep you covered.

Senior executive, this is the creme de la creme, This is the top of the bunch. This isn't all those people you see walking in and out. I don't want to get it confused with the gentleman from Maryland about sequestration. This is about what's fair for this Nation. I'm sick and tired of having everyone else throwing in and saying, No, you don't understand. Let's all put it in a blender, we'll pour it out, and they'll drink it. No, they won't. The American people are choking now on the rhetoric that comes out of this House because we don't talk straight. We talk Washingtonese, which nobody understands. We wouldn't allow it in our public sector, and we shouldn't allow it here.

If it's about accountability, listen, I will tell you what, I would like to see accountability not just in the government employee, but also in Members of this great legislature. My goodness, if we don't understand what Madison said and we are truly not ruled by angels, as we know, we are obliged to put in elements that force us—because we won't do the right thing on our own—force us to do the right thing for the American taxpayers and those men and women who get up every day, throw their feet out over the bed, and go to work. Do you know why they do it? Because they love their families and they love their country, and they know they have to do it.

Mr. Speaker, thank you so much for allowing this piece of legislation to come forward. I can't tell you how proud I am to be a Member of this body. We may disagree on some things, but people tell me, Kelly, you don't understand. I say, No, no, no. The problem is I do understand; I just don't agree. I understand it so well that if we don't right these wrongs, this great country will never be what it was supposed to be. For us to sit here as a body and allow it to happen and say, Too tough a vote. Man, some people are not going to like me for this. I may not get elected the next time. I just say, Get a stomach, get a stronger back, and do what's right for America. This is about what's right for the true Americans that keep this great organization going. That is the American taxpayer.

So having said that, Mr. Speaker, I thank you so much for allowing me to get up and speak, and please, ''If angels were to govern men, neither external nor internal controls on government would be necessary.'' Isn't it amazing that over 225 years ago, the same thing rings true today? If it were really angels that were running the organization, we wouldn't be having these conversations, and we would just go ahead with every day and say it's all right.

We're not. We're ruled by men. Men make mistakes. Men need to be held accountable when they make a mistake. I want to make sure that each of us, no matter what party you represent, is able to go to their home district and say, I did what was right for you today. I did what was right for you, your children, and your grandchildren. I did what was right for America.

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

Before yielding to Mr. LYNCH, I just want to say one thing. I listened to the gentleman, and I have the utmost respect for him. But I remind him that this is American jurisprudence that has had the concept of ''innocent until proven guilty'' for as long as he just talked about.

Mr. KELLY. Will the gentleman yield?

Mr. CUMMINGS. I just want to finish this. I listened to you very carefully. You had an outstanding speech, but I want to just make sure we're clear on something.

The senior executives suspected right now of criminal activity may already be removed or placed in indefinite suspension without pay. We need to focus on improving agency implementation.

You talk about the Neely case. Rather than passing legislation that would deprive employees of their due process rights—I do want to keep in mind that there is a little thing called the Constitution of the United States of America that every 2 years we come and swear we're going to uphold. Part of that Constitution is about due process, and that's what we are trying to adhere to here.

I think we have to be very careful when we start looking at just individual cases. We're making legislation for Federal employees throughout this country, and I just want to provide some caution there.

I now yield such time as he may consume to the distinguished gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman for yielding.

Mr. Speaker, first of all, I want to say that I have the utmost affection and respect for the gentleman from Pennsylvania. He and I are friends. But I must say that he's wrong on this case.

It's ironic that you choose James Madison as the one person that you rely upon in your argument, because it was James Madison that actually drafted the due process clause. He was the one that took the recommendations from the delegates from New York and actually drafted the text. He made his own amendments to the due process clause that we today rely upon to protect constitutional rights.

Let me also talk about the Senior Executive Service in our Federal government. Those are the employees that rise to the top. They do after years of serving in many cases because of their expertise in protecting our veterans at

the VA hospitals. But the Senior Executive Service is an experienced corps of dedicated Federal employees who provide institutional stability and continuity across administrations, and they serve as a vital link between political appointees, frontline managers, and the Federal workforce. We don't want each administration coming in and saying for no reason, Well, I'm a Republican. I'm going to fire all the Democratic executives in the Senior Executive Service. We don't want a Democrat coming in and saying, I'm going to fire all these Republicans who are in senior positions.

One of the protections we provide is due process of law. Despite the important role that Senior Executive Service employees play in the Federal Government, this bill that's on the floor today would deprive these employees of the basic due process rights available to them under existing law. The legislation would give agency heads the broad discretion to just fire people, fire senior executives that are suspected of misconduct, and employees would bear the burden of proving their reinstatement. This is called ''ready, fire, aim.'' It would allow firing employees for basically any reason that in the discretion of the senior management is required. As the gentleman from Maryland and I—and I congratulate him on his advocacy here—it presumes guilt before we get all the facts. That is completely inconsistent with the principles of our Constitution.

I am deeply concerned that this legislation may cause irreparable reputational damage if an individual is wrongly accused and forced to seek reinstatement. The person may eventually be vindicated, but the damage to the individual's reputation, their financial stability, and their career may be beyond repair. Moreover, there are effective tools already existing to hold senior executives accountable for performance and conduct issues. These disciplinary procedures provide very simply, 30 days' notice. You have to have notice why you're fired in writing. That's not a lot to ask, 30 days' notice of why you're being fired. This is what you're eliminating from the law right now. It gives that person 30 days to scramble to get a representative to put a case together to say, No, these aren't the facts. It allows them, if they are able, to get an attorney or a representative, which includes the right to that written decision and the right to appeal to the Merit Systems Protection Board.

Those are the basic due process rights that James Madison has supported. You're right, James Madison is still here today. He's on this side. He's on the side of due process. He doesn't want a kangaroo court. He wanted protections for constitutional rights, and he thought it was so important that he incorporated those in the text of the Constitution.

During committee consideration of H.R. 2579, I offered an amendment to apply these existing due process protections to the expedited removal provisions in the bill, but my amendment was rejected. For these reasons—and I say again I have great respect for the gentleman from Pennsylvania—I urge my colleagues to vote against this measure in support of due process, in support of the principles that James Madison advocated. Also, I want to say the previous bill that the gentleman talked about earlier that we voted on, 410 votes, that had the ''ready, aim, then fire'' provision.

□ 1415

It gave the due process rights. The bill that we supported in the previous session, it wasn't exactly the same, as the gentleman acknowledged; it had due process rights. It allowed employees to have 30 days to have a written decision to know what the charges were against them and to respond. So this is a very, very different bill than passed the House overwhelmingly in the previous session.

This bill does not allow the employee the 30 days' notice of what they did wrong. It does not allow them to defend themselves against the charges. It does not allow them to have a representative. It does not allow them the ability to protect their reputation in real-time. This bill fires them first and then asks questions later. For those reasons, it should be rejected.

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

The SPEAKER pro tempore (Mr. MARCHANT). The gentleman has 8½ minutes remaining.

Mr. MEADOWS. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Speaker, my colleagues on the other side, I do have great respect for both of the gentlemen. It is not a question of respect for other Members of Congress. The question is: How much respect do we have for American taxpayers?

I think sometimes we get too confused right here about the collegial atmosphere that has to exist. You know, if you don't talk nicely to each other, it can cause a problem. And I understand that. But we know each other. I have shared some very emotional moments with Mr. CUMMINGS when he lost his nephew. I understand that. Steve—Mr. LYNCH—and I know each other. It's not about the spin. Nobody is losing their due process under this. You know that.

Again, I refer back to page 8, lines 15 through 17:

> An employee against whom an action is taken under this section is entitled to appeal to the Merit Systems Protection Board under section 7701 of this title.

There is no reason for us to be having a conversation that again divides the Nation; and it divides people because we constantly want to make sure that everybody understands that one party is for one type of philosophy, the other party is not. You know, they don't ever want to take care of everybody.

I'm talking about the American taxpayer here. I'm talking about the agencies.

Mr. CUMMINGS and I sat and listened to the people from the GSA; and when we asked them why are they placed on leave with pay when there is obviously an investigation going on, you knew about it. The IG came to you and told you that, in spite of that, you still bonused this gentleman. They gave him extra money for doing exactly what he was being investigated for.

And we said: My goodness, why would you do that?

And they said: Because we don't have any tools to do anything about it. We don't have the mechanism to do that.

Why is it that we have to constantly widen the gap between what's right for America and what's just flat out right?

This isn't about Democrats and Republicans trying to protect our friends who work here in the government. Of course I want to protect them. And I will guarantee you that if this is going to pass today, I guarantee you will not see a mass exodus of people who work for the government saying, oh, my gosh, let me get my resume together; I've got to get out of here.

They're not leaving. And why aren't they leaving? Because these are good jobs. We're talking about the senior executives. We're not talking about every gal and guy. We're not talking about those in uniform who protect us. We're talking about the senior executives, those to whom we have given the most responsibility and authority. We're talking about giving them a tool to hold those who work under them responsible. They don't have it now.

I don't want to walk away or turn my back on people who work every day for this government. These are darn good jobs. Please tell me, if it's such a terrible place to work, why do so many people apply for work?

Mr. LYNCH. Will the gentleman yield?

Mr. KELLY of Pennsylvania. No, I will not yield.

Mr. LYNCH, we've been yielding for far too long, and I will be glad to yield to you when I'm done here, and that's up to the chairman.

But I have to tell you, why do we constantly put this spin on to divide this body?

If I were a manager and I were put in charge and given the responsibility to do things, but then told, Look, you have the responsibility, you better perform to the right level here, but by the way, when you have people who are not acting appropriately, you don't have any tool to change that. You don't have any way to reprimand them, to call them forward.

It just doesn't make sense. And I'll tell you who it doesn't make sense to. It doesn't make sense to all those folks I described before. I've got people back in western Pennsylvania working two jobs. This is mom and dad working a

job. Why? Because they have this tremendous ability to self-reliance, and they know they have children they've got to take care of. They want to feed them, they want to clothe them, they want to educate them. They want to be part of the system that has made sense to so many people for so long.

Why do people come to this country? My goodness, they come across the ocean in inner tubes to try to get here. They crawl across the desert to get here. They don't get here because they don't like us. They get here because they love the opportunity.

All I want to do is give the managers of these agencies the same tools that everybody else has. This is not about trying to make an employee look bad. This is about holding an employee accountable. When is it that we got to the point that accountability is a political agenda? Really? Really?

And we're going to take any time we can get to try and make the other party look bad, because I've watched here for 2½ years. It's not enough to win the vote. You've got to make the other side look really, really bad. It's not enough to say we just didn't agree on this and we moved to something else. No, the point is to say, you know what, this is how horrible these people are. They don't care about you. They don't care about your kids or your grandchildren. They really want to hurt you.

No, we've shared too much time together. I don't sit in any committee with anybody, whether from our party or from your party, that says, I came here to destroy America. They don't say that. They don't say, I came here to divide America. They don't say that. They say, I came here because I thought I had a calling and I want to make a difference.

This bill is so simple. It is so much common sense. Really, this is a problem, to hold people accountable for a job they're not doing right? We didn't strip them of anything in due process. They still have their rights, everything. And it's not for everybody; it's for the senior executives at the top. The top. That's all it's about.

So, Mr. Chairman, I've got to tell you, this is so common sense. It's what we do in the private sector every day. I don't want it to become a political battle over something that makes sense to the American people.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. CUMMINGS. Mr. Speaker, how much time do we have?

The SPEAKER pro tempore. The gentleman from Maryland has 8 minutes remaining.

Mr. CUMMINGS. I yield 3 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentleman from Maryland for yielding.

You know, it has been sad to have to sit here for so long and hear the Kafkaesque understanding of due process by the gentleman from Pennsylvania. In a word, due process has to come before the sanction, not after; before the loss of job, not after, or it means nothing.

Today, of course, I rise in strong opposition to H.R. 2579 that would eliminate due process protections for senior executive servicemembers by allowing agency heads, political appointees, for the first time since the passage of the great civil service reforms in the early part of the 20th century, to fire Federal employees without giving them advance notice or an opportunity to address allegations against them before they are dismissed.

This bill, in particular, gives real credence to the view that the series of bills on the floor today are an attack on Federal employees. H.R. 2579 would reverse the long-settled principle of ''innocent until proven guilty'' to ''guilty until proven innocent.''

Employees could be immediately fired by the politically appointed agency head. They could get their job back only by accepting the burden of proof to prove their innocence. It's not enough that employees would be notified of the reasons of their removal and would have 30 days to respond. They're gone. They're fired immediately. No due process rights like those currently in place: at least 30 days notice; representation by an attorney; a written decision; a right to appeal to the Merit Systems Protection Board.

The absence of due process and of standards that the political appointee must use in making the decision to fire is nothing short of breathtaking. Under this bill, the agency head, one person, one political appointee, determines whether the employee knowingly acted in a manner that—get this—''endangers the interest of the agency mission.'' What could be broader than that? You could be fired for anything under that standard.

One person decides whether the employee's removal is ''necessary in the interest of the United States.'' Wow, let's rein that in somewhat.

One person decides that other procedures prescribed in other provisions of law just can't be invoked; they're not good enough. There you have it—judge and jury—exactly what the civil service system was developed to avoid, exactly what the Constitution says we must avoid. If you believe in the Constitution, it is important not to demagogue, but rather to explain to the public why every State, local, and Federal government puts employees—

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

Mr. CUMMINGS. I yield an additional 2 minutes to the gentlelady.

Ms. NORTON. I thank the gentleman.

Why is it that every unit of government puts employees they want to fire, they know they want to fire them, on administrative leave with pay while due process proceeds, even when the person is accused of serious offenses? Because the employer, my friends, is the government. That's the difference. The employee has certain due process rights that the same employee would not have if the employer were a private business. That is civics 101, gentlemen.

Justice Powell, writing in Arnett v. Kennedy about due process rights of employees said:

> Due process is conferred not by legislative grace, but by constitutional guarantee.

This bill comes from a Republican House that requires that Members state the constitutional basis for every bill introduced in this House. This bill expresses a Republican frustration that Lois Lerner of the IRS was placed on administrative leave with pay. Sorry folks, you're not allowed to support the Constitution only when you like the results. Let's defeat this ''prove your innocence'' departure from the Constitution of the United States.

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

Mr. CUMMINGS. Mr. Speaker, I just want to say first of all that I associate myself with the words of the gentlelady from the District of Columbia. I think she said it quite well.

Mr. Speaker, we must be about the business of guarding this thing we call the Constitution. We are here only for a moment—only for a moment—and in that moment we have already been given a document by which we should govern ourselves. It has been interpreted by courts over and over again, and one of the things that has stood the test of time is due process. That very due process, I have said many a time, has allowed me to be a Member of this Congress of the United States and so many others who would have never had an opportunity. And so no matter when we are here, no matter what time we are here for, we must guard it.

□ 1430

Mr. LYNCH was very clear when he talked about how we are in a situation where we fire somebody first, and then suddenly we say, okay, we're going to give them some due process.

Going back to Ms. NORTON, due process comes before the firing. That's the way it's supposed to be.

And we all care about every employee. We care about how every American is treated, and that's what this argument is all about—fairness.

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

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

Mr. CUMMINGS. How much time do we have, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Maryland has 2 minutes remaining.

Mr. CUMMINGS. I yield 1¼ minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman, and I appreciate his advocacy.

Mr. Speaker, I do want to point out some inconsistencies in the argument

by my friend from Pennsylvania. In the case of Mr. Neely and in the case of Lois Lerner, under existing law, all that was required before they fired either of those individuals is to give them 30 days' notice, 30 days' written notice of the charges against them, give them the 30 days to put together a defense or to offer their version of the facts.

That's all that was required, and then we could have fired them or put them on administrative leave without pay. That was within the discretion of GSA.

So when GSA tells Mr. KELLY they can't do anything, there's plenty they could do. They could have taken both those employees, put them on administrative leave without pay—talk about protecting the taxpayer. I'm for that. They had the power to do that in these cases.

They could have taken both those employees, under current law, with due process in place, put them both on administrative leave without pay, and we could have protected the taxpayer. That was the discretion on the part of the administration and the folks that made the decision in that place. It was not a fault of the law.

But interestingly enough, it also protected us to have the second version of the facts put forward to bring more light to this.

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

Mr. CUMMINGS. Mr. Speaker, I'm going to yield the 45 seconds we have remaining to Mr. LYNCH to close.

Mr. LYNCH. Think about this. That due process right would allow an employee who might be the fall guy, it might be a person that they're trying to fire to shut them up, it gives them an opportunity to come before the public and say, while they're still in their job, to say, no, that's not the way it went down.

Now, it might be to the benefit of the Republican, it might be to the benefit of the Democrat, whatever position you have, whoever that individual might be. But it brings truth, it brings facts, and it brings the ability of that individual employee to protect themselves.

That's what we're asking for here, that 30 days' opportunity. And it can be without pay. We can protect the taxpayer and still give due process rights to our employees. This bill should be opposed for all those reasons.

I thank the gentleman from Maryland (Mr. CUMMINGS) for yielding.

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

Mr. MEADOWS. Mr. Speaker, facts are a stubborn thing, and what we are hearing today are a number of assertions that truly are not the facts.

Let me read from the bill, because the opposing arguments would be that we can fire them for any particular reason, but that's not what the bill says. The bill says we may remove an employee for serious neglect of duty, misappropriation of funds—which, I might add, was the case in point that we were just talking about—or malfeasance. And the head of the agency has to know that it was knowingly done.

This gives just another tool in the toolbox. It doesn't do away with due process. It doesn't do away with a number of the facts that we already have today, but it adds another tool.

What it really does is allow our managers to manage. What a novel concept. We're going to actually allow and trust Federal employees to manage the people under them.

We have been in hearing after hearing that says, Well, why didn't you do something about it? Why did you not address this? And they said, Well, our hands are tied. We didn't have the tools to do it.

This bill, as Mr. KELLY has so eloquently put it, gives them the tool to do exactly that. It doesn't do away with due process.

We've accepted amendments, three different amendments that protect the rights of employees—they are embedded in this bill—and yet we still find that my colleagues opposite want to say that they're not in support of this.

I just find it just appalling that we can continue to allow employees to stay on the taxpayers' dollars when we know that there has been malfeasance, misappropriation of funds, and the neglect of duty.

With that, I encourage all my colleagues to support this particular piece of legislation.

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

Mr. GINGREY of Georgia. Mr. Speaker, I rise today as a proud cosponsor of H.R. 2579, the Government Employee Accountability Act, offered by my good friend Mr. KELLY of Pennsylvania.

I applaud this commonsense legislation that was initially developed in response to a senior GSA employee orchestrating the infamous GSA conference in Las Vegas that cost taxpayers $800,000. He was placed on administrative leave with pay. Under current law, this is not only permitted, but there is little other recourse. There is no current mechanism for agencies to take away the pay of Senior Executive Service (SES) employees under investigative review for misconduct. Rather, employees can be placed on administrative leave or suspension, both with the opportunity for pay.

Mr. Speaker, the necessity of the legislation before us today is again highlighted by the recent scandals plaguing the IRS and its targeting of conservative groups. Despite the continued emergence of compelling facts detailing Ms. Lerner's involvement with discriminatory targeting and her refusal to cooperate with Congressional investigations, Ms. Lerner continues to draw a $180,000 salary from the federal government. When she refused to resign, she was placed on administrative leave, so rather than being punished for targeting Americans based on their political beliefs, she is taking a well-paid vacation on the taxpayer dime.

H.R. 2579 would authorize all federal agencies to place an employee on investigative leave without pay if the employees conduct was serious or flagrant. I believe that this legislation is critical in regaining the trust of Americans. Paid leave is a slap on the wrist, and simply does not sufficiently restore the public's trust that the federal government will hold those responsible for serious misconduct accountable.

Mr. Speaker, Americans deserve real answers and solutions to ensure that high-ranking federal employees are reprimanded and held responsible for unacceptable behavior. For that reason, I urge my colleagues to join me in supporting H.R. 2579.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 2579, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

COMMON SENSE IN COMPENSATION ACT

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1541) to establish limitations, during any sequestration period, on the total amount in awards or other discretionary monetary payments which may be paid to any Federal employee, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1541

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Common Sense in Compensation Act''.

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term ''employee'' means an employee (as defined by section 2105(a) of title 5, United States Code) holding a position in or under an Executive agency;

(2) the term ''Executive agency'' has the meaning given such term by section 105 of title 5, United States Code;

(3) the term ''discretionary monetary payment'' means—

(A) any award or other monetary payment under chapter 45, or section 5753 or 5754, of title 5, United States Code; and

(B) any step-increase under section 5336 of title 5, United States Code;

(4) the term ''covered compensation'', as used with respect to an employee in connection with any period, means the sum of—

(A) the basic pay, and

(B) any discretionary monetary payments (excluding basic pay),

payable to such employee during such period;

(5) the term ''basic pay'' means basic pay for service as an employee; and

(6) the term ''sequestration period'' means a period beginning on the first day of a fiscal year in which a sequestration order with respect to discretionary spending or direct

spending is issued under section 251A or section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 and ending on the last day of the fiscal year to which the sequestration order applies.

SEC. 3. LIMITATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) no discretionary monetary payment may be made to an employee during any sequestration period to the extent that such payment would cause in a fiscal year the total covered compensation of such employee for such fiscal year to exceed 105 percent of the total amount of basic pay payable to such individual (before the application of any step-increase in such fiscal year under section 5336 of title 5, United States Code) for such fiscal year; and

(2) except as provided in subsection (b), during any sequestration period, an agency may not pay a performance award under section 5384 of title 5, United States Code, to the extent that such payment would cause the number of employees in the agency receiving such award during such period to exceed 33 percent of the total number of employees in the agency eligible to receive such award during such period.

(b) WAIVERS.—For the purposes of any sequestration period—

(1) the head of any agency may, subject to approval by the Director of the Office of Personnel Management, waive the requirements of subsection (a)(2); and

(2) the head of any agency may waive the requirements of subsection (a)(1) with respect to any employee if the requirements of such subsection would violate the terms of a collective bargaining agreement covering such employee, except that this paragraph shall not apply to any employee covered by a collective bargaining agreement that is renewed on or after the date of enactment of this Act.

(c) NOTIFICATION.—In the case of an agency for which the Director of the Office of Personnel Management grants a waiver under subsection (b)(1), the agency shall notify the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of the percentage of career appointees receiving performance awards under section 5384 of title 5, United States Code, and the dollar amount of each performance award.

(d) APPLICATION.—This section shall apply to any discretionary monetary payment or performance award under section 5384 of title 5, United States Code, made on or after the date of enactment of this Act.

SEC. 4. REGULATIONS.

The Office of Personnel Management may prescribe regulations to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, my bill, H.R. 1541, brings common sense to the policies governing Federal employee bonuses while still providing agencies flexibility to recognize outstanding performance.

In fiscal year 2011, 75 percent of Senior Executive Service employees throughout the Federal Government received bonuses at an average of nearly $11,000 per person. The government's decision to furlough hundreds of regular, often blue-collar, Federal workers while senior employees cash in is unacceptable.

Americans are rapidly losing trust in government as the list of abuses by Federal agencies grows, but bureaucrats continue collecting large bonuses at the expense of hardworking taxpayers.

The IRS is a prime example. Between the years of 2006 to 2012, IRS Director of Exempt Organizations, Lois Lerner, was paid a combined total of $110,035 in bonuses.

Faris Fink, the senior IRS official best known for his starring role as Mr. Spock in a ''Star Trek'' parody at the IRS conference received some $149,506 in bonuses between 2007 and 2012.

The Federal Aviation Administration is another example. It threatened 90-minute delays for airline passengers in the weeks leading up to sequestration. However, the FAA handed out more than $12 million in bonuses during fiscal year 2012 despite knowing that sequestration was likely to occur.

These bonuses exemplify Washington's spending problem. A national debt of $17 trillion and an unemployment rate at 7.5 percent should not add up to millions of dollars in bonus payouts.

Following the President's decision to impose a 2-year pay freeze at the end of 2010, the administration issued a memo limiting the amount available to pay bonuses for fiscal years 2011 and 2012. This past February, the administration issued a memo limiting bonuses to those legally required, and in June, you, the administration, suspended rank awards for senior leaders.

This bill builds on the administration's initiatives, limiting the amount and number of bonuses paid to Federal workers in periods of sequestration. It is time for the government to stop furloughing workers who depend on paychecks from week to week while awarding hundreds of thousands of dollars in bonuses to senior employees.

I urge all Members to support the Common Sense in Compensation Act.

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

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

Mr. Speaker, I am very disappointed that the Republican leadership is wasting the few days we have remaining before the August recess with political message bills like this one instead of dealing with the major challenges the American people want us to address.

The American people care about jobs. Let me say that again. The American people care about jobs. And the Democrats have introduced a Make It in America agenda that would create good-paying jobs by rebuilding America's infrastructure, investing in innovation and education, and reducing the deficit through a balanced approach.

But the Republican leadership apparently has chosen a No Jobs Agenda. It has been 7 months since the start of this Congress, and we have not passed a single jobs bill on the floor of this House. Instead, the Republican sequestration plan is expected to cost up to 1.6 million American jobs through next year.

The American people also want the Congress to pass a budget for our country. More than 4 months ago, both the Senate and the House passed their respective budgets, but the House Republicans are now refusing to appoint conferees to complete negotiations. For years, Republicans complained about not having a budget, yet now they are actively blocking it by refusing to negotiate with the Senate.

Rather than dealing with these critical issues, we're being asked to vote on H.R. 1541, which is one of many bills that are a part of a relentless campaign to demonize Federal employees.

H.R. 1541 would impose an arbitrary, across-the-board cap of 5 percent of basic pay on the amount of bonuses that Federal workers can receive and limit the number of senior executives who may receive performance awards to 33 percent of those eligible in each agency.

These employees carry out our critical missions that serve and protect the American people. Among these awards are Presidential Rank Awards for senior executives who saved the Federal Government more than $95 million last year, quality step increases for our highest Federal employee performers, awards to law enforcement officers for foreign language capabilities, and recruitment, retention, and relocation incentives to fill critical gaps in such fields as nursing, information technology, and cybersecurity.

I'm very concerned about the Federal Government's recruitment and retention efforts if Congress eliminates agency discretion to provide awards to our best performers.

In an analysis of the Best Places to Work in the Federal Government, the Partnership for Public Service and Deloitte found that only 4 out of 10 Federal workers believed they will be rewarded or promoted for doing a good job. This is the definition of counterproductive.

I don't understand how Republicans can call for pay for performance and then eliminate the very performance awards they said they supported.

Last Congress, our committee chairman, Representative ISSA, and committee member DENNIS ROSS sent a letter to the Government Accountability Office proposing that we replace the

Federal Government's General Schedule system with a ''merit-based, market-sensitive system that recognizes and rewards individual employee performance.''

How can we take such proposals seriously if we are being asked at the same time to slash the very awards that are supposed to incentivize performance? Of course, we cannot.

□ 1445

For these reasons, I urge my colleagues to join me in opposing H.R. 2579, and I reserve the balance of my time.

I ask unanimous consent for the gentleman from Massachusetts (Mr. LYNCH) to manage the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Massachusetts will control the remaining time.

There was no objection.

Mr. MEADOWS. I yield 3 minutes to my distinguished colleague from the State of Michigan (Mr. BENTIVOLIO).

Mr. BENTIVOLIO. I thank the gentleman from North Carolina for yielding.

Mr. Speaker, common sense is something often discussed here but it is rarely put into practice. It's time for that to change. That's why we need the Common Sense in Compensation Act.

While the administration plays political games with the sequestration by forcing hardworking Americans to take a furlough, they continue to hand out bonus checks to highly paid bureaucrats. Between 2008 and 2011, the Federal Government spent $340 million on cash bonuses for Senior Executive Service employees. Some of these bureaucrats have used their time to attack the average American through regulations and the Tax Code. The American people are not getting what they paid for from many of these Federal regulators and senior staff.

The Common Sense in Compensation Act brings much-needed reform to the bonus system for Federal employees. Under this legislation, employee discretionary bonuses are limited to no more than 5 percent of their base salary while the sequestration is in effect. Additionally, it limits the total amount of Senior Executive Service performance awards to 33 percent of all SES employees in a given agency. Both of these changes prevent the most wealthy in the Federal system from becoming richer while those actually engaging and serving the general public are getting laid off.

Opponents of the bill may claim that limiting Federal Government employee bonuses may be an unsound business move. Here's what I think: it is an unsound business move being $17 trillion in debt and shackling our grandchildren with a Nation worse off than how we received it from our parents. When a business is struggling, they don't pass out bonuses. They cut waste. It's time to rein in spending. And this practice of excessive bonuses for the very top of our bureaucracy must stop while we're all trying to tighten our belts.

If we truly want to rein in our spending, we need to fix not just the amount of money we choose to spend, but how effectively we spend it as well. Making sure that those who provide the actual services to the public aren't being furloughed at the expense of luxurious bonuses for upper management is a good way to start.

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

The tailored use of incentive awards, such as performance-based bonuses, help agencies recruit, develop, and retain employees who have the knowledge, skill, and ability to help agencies accomplish their critical missions. Such incentives also allow agencies to compete with the private sector for talent. Right now, we have incredible doctors, nurses, therapists, and staff at the VA hospitals all across America, that I'm sure—at least in my district—they could walk out that door and earn sometimes twice or three times as much at a private hospital as they do at the VA. The incentive programs that we have in place allow us to rebalance a little bit of what they might be compensated, but for the fact that they are committed to caring for our veterans.

It's a similar situation with the SEC. Obviously, many of our securities analysts that we use at the SEC could go to Wall Street tomorrow and earn multiples of what their salary is and have great success and incredible rewards financially. But they work at the SEC because they're committed to protecting the taxpayer and working on behalf of their country.

We have similar examples of banking supervisors at the FDIC that have such knowledge and such capability that they could go out tomorrow and work for one of these big banks like Citibank or Bank of America and go to work tomorrow at multiples of their salary. We have derivative analysts over at the CFTC that do such great work on our behalf, that I'm sure that—because that's such a hot area of employment—with their expertise and their resumes, they could demand tremendous resources. As well, we have scientists at NIH and lawyers over at the Department of Justice that we're lucky to have working on behalf of the government because we're trying to keep up with the changes in industry and in these areas of commerce that require excellent talent.

For example, a 2010 Rand Corporation study found that the Department of Defense's increased use of bonuses had positive effects on recruitment and retention in the Armed Forces. Notably, the study found that without the increase in bonuses, Army enlistments would have been 20 percent lower between 2004 and 2008 when the war in Iraq was at its peak. Further, the study found that bonuses were generally a cost-effective measure.

Despite the importance of performance awards, this bill, H.R. 1541, as amended, would prohibit Federal workers from receiving discretionary bonuses that exceed 5 percent of their base pay during sequestration. This bill couldn't happen at a worse time. H.R. 1541 would undermine the Federal Government's ability to recruit and retain its most talented employees in the midst of a 3-year Federal pay freeze and ongoing furloughs.

Right now, we have over 700,000 Federal employees at DOD that have taken 11-day furloughs. I sat with a group of firefighters on an Air Force base that are concerned about the safety protocols at that base because of the number of employees that are affected by furloughs. We've got 90,000 employees in other agencies that are taking between 2- and 5-day furloughs. And those furloughs are going to continue.

H.R. 1541 would undermine the Federal Government's ability to recruit and retain our most talented employees in the midst of all these cutbacks. This bill would simply continue to demoralize the Federal workforce. By removing agency flexibility, the legislation would also impede managers in their efforts to keep employees committed and motivated to excel and to provide superior service.

It is understandable that these employees do accept less pay because they work for the government, in many of these industries that I mentioned. Further, these awards are exactly the type of individual merit-based performance management tools that the committee chairman and other committee members have embraced in the past.

During committee consideration, I offered an amendment that would exempt collective bargaining agreements from the caps on awards. But the majority modified my amendment so the caps would still apply to future agreements. I believe that determining by law or statute the terms of future bargaining agreements with the recognized representatives of those employees improperly interferes with the management and labor contract negotiations.

This legislation would restrict agency flexibility at a time when it is critically needed for ensuring that the Federal workforce attracts and retains the best and brightest.

For these reasons, I ask my colleagues to join me in opposing H.R. 1541, and I reserve the balance of my time.

Mr. MEADOWS. I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise in strong support of H.R. 1541, the Common Sense in Compensation Act.

I thank the gentleman from North Carolina for yielding me this time. I also want to commend him for coming up with this very sensible, reasonable, moderate response in legislation to a problem that's been growing bigger and bigger with each passing year.

As the previous speaker, the gentleman from Michigan, mentioned, in one recent 3-year period there were over $340 million worth of Federal bonuses given out. I didn't know about that figure but I have seen some other figures which relate to this legislation that I would like to mention at this time.

A couple of years ago, the Commerce Department's Bureau of Economic Analysis completed a study showing that the average Federal employee received a salary and benefits totaling $119,982, while the average private sector employee made a salary and benefits of $59,909. In other words, the Federal salaries and benefits were approximately twice or double what people in the private sector were receiving.

The Washington Examiner newspaper, in a lead editorial after that report came out, described these Federal salaries as ''scandalously higher'' than private salaries, and added:

> With the Federal deficit and national debt heading into the stratosphere, taxpayers can no longer afford to support such lucrative government compensation.

Certainly, it's already been mentioned that our national debt is now approximately $17 trillion—a figure that almost no human being can really comprehend.

At the height of the recession there was a front-page story in USA Today, which said:

> Federal workers are enjoying an extraordinary boom time—in pay and hiring—during a recession that has cost $7.3 million jobs in the private sector.

The report in USA Today said that the ''highest-paid Federal employees are doing best of all.''

I read a report a few months ago that said 6 of the 10 wealthiest counties in this country were all suburban counties to Washington, D.C.

In addition to much higher Federal salaries and benefits, Federal employees have the best pension plans in this country, while fewer than 20 percent of employees in the private sector even have any employer-provided pension plan other than Social Security. These very high pensions were started many years ago when Federal salaries often were lower than in the private sector. But that is certainly not the case today, when Federal salaries are averaging about twice what the average salary is in the private sector. Also, Federal employees are allowed to retire at younger ages.

Almost everyone, I realize, Mr. Speaker, feels underpaid when you hear about these obscene, ridiculous salaries of CEOs and athletes and movie stars. But Federal employees need to realize that you're talking about just one-tenth of 1 percent of the people. Compared to about 96 to 97 percent of the American people, Federal employees are very fortunate to have their jobs, and are very well paid.

I know from my experience with the Tennessee Valley Authority, where they've given out many bonuses in the hundreds of thousands of dollars range, this situation will spiral completely out of control because Big Government can justify or rationalize almost anything.

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

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

Mr. DUNCAN of Tennessee. I will simply say that this is a good bill. This is good legislation to limit these bonuses to about 5 percent of these very high salaries. I hope all of my colleagues will support H.R. 1541, the Common Sense in Compensation Act.

Mr. LYNCH. Could I ask the Speaker how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 10 minutes remaining.

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

Mr. Speaker, I just wanted to address a couple of issues the gentleman has raised and say that I have enormous respect for the previous speaker as well.

Oftentimes, these studies look at the average employee in the Federal Government versus the average employee in the private sector. In recent decades, the Federal Government has privatized a lot of our common labor rather than employing them directly. We have become a much more specialized and much more professionalized workforce, between the doctors and nurses we hire at the VA; the scientists that we have at the National Institutes of Health and the EPA; the lawyers we have at the Department of Justice; financial analysts that we have at the CFTC and FDIC, as well as the SEC and other banking industries. Those are more professionalized employees.

□ 1500

So naturally, if you look at a retail clerk, compare their salary to a scientist, there will be a drastic disparity between what an attorney is making or a financial analyst is making versus a secretary in the private sector. So that's a very crude way of comparison.

One way of comparison is required in the Federal Pay Comparability Act. That's a statute that we passed here in Congress. It requires that we compare the levels of Federal doctors versus private sector doctors; federally employed scientists versus private sector scientists; finance analysts at the SEC versus those at Goldman Sachs. So we compared job to job. At the end of that analysis, the studies showed that Federal employees are making 26 percent less than their comparable job in the private sector; just a point that I wanted to raise.

I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I wanted to address a few of the items that have been brought up because we seem to talk about these in abstract ways, but the truth of the matter is is that bonuses have gotten way out of hand. You know, when we start to give out bonuses as a way to bypass the payment structure that we have established for the Federal Government employees, that is not what it was intended to do.

You know, the ranking member earlier, Mr. Speaker, mentioned a survey, which was the Federal Employee Viewpoint Survey. He used that data as evidence of, really, about performance pay, but I'd like to quote from that same study, that same survey.

A recent survey found that only 22 percent of Federal employees believe that performance and pay are linked. And I would like to point out that this bill certainly would cover that.

We are not saying do away with all bonuses; quite the contrary. We believe that people need to be incentivized. We believe in merit pay. We believe in bonuses for those that work. But I can say this, that when you start paying out bonuses to 75 percent of all senior executive employees, the people back home don't understand. Maybe the people in Massachusetts understand, but I can tell you the people in North Carolina don't understand.

We've got some 7,000 Senior Executive Service employees that make an average of $168,500 every year. So when you go back home and you say, Well, they're making $168,000 a year, and on top of that we're going to pay them a $30,000 bonus, those people don't understand. Whether they work for the Federal Government or whether they are in the private sector, they don't understand.

I've got single moms, Mr. Speaker, that said, You know what? I'd be glad to go to work just for the bonus pay that you're paying some of those Federal workers.

We go on a lot and we start talking about it, but it's interesting, because many times my colleagues on the opposite side of the aisle want to go ahead and talk about what is fair. Well, this is not fair, Mr. Speaker, when we start to look at that. The rich, indeed, are getting richer at the expense of the hardworking American taxpayers, and that is not what we should be doing.

I also want to go on a little bit further, because when we start to look at these bonuses, it is the Federal employees in my district that have a problem with it as well. I have two of them, Paula and Martha. I won't give their last names, but Paula and Martha. I was there talking to them, and they said, You know, we are sacrificing under this pay freeze. We're having to give up. Why in the world are you awarding such bonuses to these people when we're having to suffer?

Now, I know the gentleman from Massachusetts has a real heart for Federal employees, as do I. I look here and there are a number of people that I would call my friends. There are a number of people that are watching this perhaps even on TV right now that are Federal employees that I enjoy being with. This is not about them. This is about being fair. What it is is, when we start to pick the winners and

losers with bonuses and bypass the payment structure that we have, you know, it's not right, Mr. Speaker, and we have to adjust that.

I would be glad to work in a bipartisan way. If we're having a hard time retaining scientists and doctors, I would be glad to work in a bipartisan way with my friend opposite here to come up with a structure that works on pay and merit pay to that and address it, but why do we allow the bonuses that we have today to bypass the very fundamental reason that we have it set up?

With that, I reserve the balance of my time.

Mr. LYNCH. I appreciate the gentleman's comments.

Mr. Speaker, I do want to point out, though, if we're talking about what's fair and what's not fair, I think the Federal employees have taken it on the chin recently. They're in year three of their pay freeze. A lot of them say that's not fair because as costs keep going up, their pay has been frozen for the past 3 years. Now, on top of the third-year pay freeze, they're being asked—at least 700,000 employees in the Department of Defense, including civilian employees that we rely on for a lot of key services—are being asked to take 11 days on furlough without pay. About 100,000 other Federal employees are being asked to take between 2 and 5 days right now. The first year of sequestration I think we cut $37 billion. This year we will cut $52 billion, next year is 60. And this is just year 2 in a 10-year furlough schedule. So if you want to talk about unfair, I think that they're being asked to do more than their share.

I do want to remind the gentleman that the bonuses and awards limited by this bill, H.R. 1541, are based on performance. The quality step increases are given to rank-and-file employees who achieve superior performance. The Presidential Rank Awards are given to senior employees who achieve extraordinary results or who are able to sustain superior accomplishments.

Recruitment bonuses, now, they can't be paid to employees who work for the Federal Government, but someone who's done a very good job in the private sector, you know, running a hospital might come onto the Federal payroll to do that, and we might have to recognize that person's prior service. An individual's performance rating is based on how well they met or exceeded their expectations.

In addition, I know that my friends across the aisle are eager to cap Federal employee and senior executive pay, but they're completely silent on capping Federal contractor pay. Under current law, Federal contractor executives can be reimbursed by the Federal Government for their salaries up to $950,000—Federal contractors. This is the private side. These are not the folks that are being capped. These are not employees. These are private contractors, $950,000 for 2013. Not a word, not a word in print or speech to cap those individuals. Contracting employees at the Department of Defense, Coast Guard, and NASA can also have their salaries reimbursed up to $950,000 as well in this current year, 2013.

But just a comparison, the maximum salary for a senior executive in the Federal Government is $179,700. For example, the VA Administration head, the hospital director at one of my hospitals, he makes $179,700, while the average salary in my district for a hospital director in the private sector is $800,000. That's for the private hospitals in my area. So my VA director earns about 25 percent of what they make in the private sector.

By the way, the maximum salary for a General Schedule step 10 employee at the top of the ladder is $155,500. That's what we're talking about here. And they are blown away by the salaries paid—as I mentioned, $950,000 in 2013—for Federal contract executives who are not Federal employees but are on the Federal payroll, about which this bill says zero. Completely silent. Zip.

I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I would like to address a few of the comments that the gentleman opposite made.

When he said not a word has been mentioned about bonuses for contractors, I would remind the gentleman that in the NDAA we addressed this very subject. So that was addressed, which I'm sure the gentleman was here for that particular vote; but as we've looked at this, we have addressed that particular thing. I will go ahead and talk about a couple of other things, though.

We talk about this pay freeze and how we're asking so many people to suffer. I'm not talking about the normal pay that we would give employees. I'm talking about the excessive bonuses that have failed to be an incentive anymore.

When you give a bonus to 75 percent of the employees, it ceases to be an incentive; in fact, quite the opposite. All you have to do is make sure that you are not in the bottom quartile. It says all I have to do is perform better than only a few people to get my bonus. So if I'm just better than the worst 25 percent, I get a bonus. That's not an incentive. That's why we're looking at 33 percent. It rewards those people who rise to the top, the cream of the crop, and we need to do that.

I also want to mention that we were talking about all these pay freezes. Where is a pay freeze not a pay freeze? Only in Washington, D.C. Mr. Speaker, 99.4 percent of Federal employees got an increase in salary during this pay freeze. That's the only ones we denied were 6 out of every 1,000 employees. So the gentleman opposite making comments that they've sacrificed, indeed, they have, but it's not as if they have not gotten pay increases.

What do I tell my constituents back home who are dealing with double-digit unemployment? They would love just to have a job. Many of them would take a job at 10 to 15 to 20 percent less than what they were making if they could just go to work. Yet here we are talking about people who continue to get raises as if they are suffering. You know, we've got to make sure that we're clear on the subject and we need to make sure that we're fair.

I keep coming back to the word ''fair,'' because when we are not fair with the government responsibility that we have, the American people lose trust in their government; and it is time that we hold it accountable, give tools to those managers that reward good behavior and good performance, but yet not continue to dole it out at the expense of every American taxpayer.

With that, I reserve the balance of my time.

Mr. LYNCH. Just one final point before I yield. The gentleman is correct, we did address contractor caps on pay in the NDAA, but we capped it at $950,000 a year. That's a far cry from anything that any Federal employee is earning here.

As I mentioned before, the head of our VA hospitals makes $179,700. That's the max. Meanwhile, private contractors working for the Federal Government are making $950,000 this year, in 2013, with the NDAA caps in place. I'm just saying, what's good for the goose is good for the gander. There's an opportunity in this bill to cap these salaries, and we have not done that.

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

Mr. MEADOWS. Mr. Speaker, I thank the gentleman for his candor and his passion with which he rises and debates it.

I do want to point out, though, that what we are talking about here are apples and oranges. When you start to look at contractors and the benefits of those contracts, those are really issues that we must address, and I'm willing to work with him on a bipartisan basis, but let's not take our eye off the ball.

Why would we allow Sarah Hall Ingram, who is going to be administering over the Affordable Care Act, a bonus of $35,000? Why would we award a bonus of almost $31,000 to a gentleman that played Mr. Spock? It's indefensible to me. I can't imagine why my colleague opposite would want to defend that and why he wouldn't want to have tools to let managers manage the process.

□ 1515

I'm going to close with this point: Daniel Pink writes in a book called ''Drive'' that really it's about motivational theory; it's about the fact that bonus impact is minimal. I think we see that even here because of the surprising truth about what motivates us. It says:

> The carrot and the stick approach to motivating employees through bonuses and benefits is statistically ineffective. What they would rather have is a mastery of their position, they would rather have autonomy, they

would rather have a sense of purpose that the job that they are doing is very meaningful.

So, in essence, what it says is that if we get rid of the bureaucracy, our Federal employees will be more motivated to do a good job knowing that they are fulfilling a purpose. Yet we continue to throw bonuses at them over and over again, Mr. Speaker.

I just have a hard time going back home, as a number of my colleagues would go back home, and defending these excessive bonuses.

I would urge all of the folks here, all of my colleagues, to join with me in supporting this critical bill, the Common Sense in Compensation Act, H.R. 1541, as amended.

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

Mr. MORAN. Mr. Speaker, for the last four years, Congress has frozen federal employee pay.

And this year, we are at it again, extending the freeze.

Congress has also increased federal employee pension contributions for new hires without a corresponding increase in benefit.

And, through furloughs, we are essentially imposing a 20% pay-cut and continuing to punish these people who took an oath to support and defend our country.

All of this has added up—Over the last four years, Congress has reduced federal employee pay and benefits by $118 billion. Per capita, that's nearly $50,000 per employee—far more than any other American has been asked to contribute towards deficit reduction.

I take issue with the practice of continuing to punish a workforce that is predominantly composed of hardworking Americans, simply because they happen to work for all of us.

Your public servants have already been injured financially by a series of spirited provisions that are now law.

The bills before us today would strip the ability of managers within the federal government to reward our federal workers. In fact, they end up punishing some of our highest performing federal employees.

The Congressional Budget Office has confirmed that federal employees in highly skilled professions could earn much more in the private sector.

The Federal Salary Council issued a report in 2012 finding that federal employees were being paid nearly 35% less than similar occupations in the private sector.

Why do they choose public service? Clearly, not for monetary gain—they do it for love of country and the opportunity to make peoples' lives better.

But they have families to feed, mortgages to pay, and children to send to college. Where does it end?

From my first job as a budget officer at HEW through to my service today, nearly 40 years later, I have witnessed countless occasions where the federal government and federal employees have been a positive force, improving the lives of their fellow Americans.

No matter how many times the House majority says the government cannot solve problems, cannot create jobs or cannot help the American people, it will never be so.

Why does this Congress insist on continuing to punish federal employees for their service to the American people?

Bearing a disproportionate share of deficit reduction has directly hurt them and their families. It's time to stop singling them out.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 1541, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

GOVERNMENT CUSTOMER SERVICE IMPROVEMENT ACT OF 2013

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1660) to require the establishment of Federal customer service standards and to improve the service provided by Federal agencies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1660

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Government Customer Service Improvement Act of 2013''.

SEC. 2. DEFINITIONS.

In this Act:

(1) AGENCY.—The term ''agency''—

(A) means an Executive agency (as defined under section 105 of title 5, United States Code) that provides significant services directly to the public or other entity; and

(B) does not include an Executive agency if the President determines that this Act should not apply to the Executive agency for national security reasons.

(2) CUSTOMER.—The term ''customer'', with respect to an agency, means any individual or entity that is directly served by an agency.

SEC. 3. DEVELOPMENT OF CUSTOMER SERVICE STANDARDS.

(a) GOVERNMENT-WIDE STANDARDS.—

(1) IN GENERAL.—The Director of the Office of Management and Budget shall develop Government-wide standards for customer service delivery, which shall be included in the Federal Government Performance Plan required under section 1115 of title 31, United States Code.

(2) REQUIREMENTS.—The standards developed under paragraph (1) shall include—

(A) Government-wide goals for continuous service improvements and efforts to modernize service delivery; and

(B) where appropriate, Government-wide target response times for telephone calls, electronic mail, mail, benefit processing, and payments.

(b) AGENCY STANDARDS.—

(1) IN GENERAL.—The Performance Improvement Officer for each agency shall establish customer service standards in accordance with the Government-wide standards developed under subsection (a), which shall be included in the Agency Performance Plans required under section 1115 of title 31, United States Code.

(2) REQUIREMENTS.—Agency standards established under paragraph (1) shall include, if appropriate—

(A) target call wait times during peak and non-peak hours;

(B) target response times for correspondence, both by mail and electronic mail;

(C) procedures for ensuring all applicable metrics are incorporated into service agreements with nongovernmental individuals and entities;

(D) target response times for processing benefits and making payments; and

(E) recommendations for effective publication of customer service contact information, including a mailing address, telephone number, and email address.

(c) CUSTOMER SERVICE INPUT.—

(1) ESTABLISHMENT.—The Director of the Office of Management and Budget shall establish a Customer Service Feedback Pilot Program. The pilot program shall include participation by the Internal Revenue Service and a minimum of two additional agencies selected by the Director and shall continue for a period of at least three years. The Director shall require participating agencies to implement a customer service feedback system to collect information from customers of the agency regarding the quality of customer service provided by the agency, including—

(A) information on the extent to which agency performance complies with the Government-wide standards developed under subsection (a); and

(B) feedback on the quality of customer service provided by the agency employee or employees with whom the customer interacted.

(2) LIMITATION.—An agency may not publish or make publically available information collected under the feedback system that is specific to a named employee.

(3) ADDITIONAL INFORMATION IN PERFORMANCE REPORT.—In developing the performance report made available by the agency under section 1116 of title 31, United States Code, each agency—

(A) shall include the information collected under this subsection; and

(B) may include aggregate data collected under paragraph (1)(B) without including names of specific agency employees.

(4) REPORT TO CONGRESS ON CUSTOMER SERVICE FEEDBACK PILOT PROGRAM.—Not later than two years after the implementation of the Customer Service Feedback Pilot Program established under this subsection, the Comptroller General shall submit to Congress a report assessing the pilot program and a recommendation on whether such program should be expanded Government-wide.

(d) ANNUAL PERFORMANCE UPDATE.—The Director of the Office of Management and Budget shall include achievements by agencies in meeting the customer service performance standards developed under subsection (a) in each update on agency performance required under section 1116 of title 31, United States Code.

SEC. 4. PERFORMANCE APPRAISAL.

Compliance with customer service standards developed under this Act shall be included in employee appraisal systems establish by agencies, including the performance appraisal systems referred to in chapter 43 of title 5, United States Code.

SEC. 5. SERVICE IMPROVEMENT UNIT PILOT PROGRAM.

(a) ESTABLISHED.—The Director of the Office of Management and Budget shall establish a pilot program, to be known as the Service Improvement Unit Pilot Program (in this section referred to as the ''pilot program''), to provide assistance to agencies that do not meet the Government-wide standards developed under section 3.

(b) PERSONNEL.—The heads of agencies with expertise in change management, process improvement, and information technology innovation shall detail employees to the Office of Management and Budget to work on the pilot program, based on the expertise and skills required to address service improvement goals.

(c) RESPONSIBILITIES.—Under the pilot program, the Office of Management and Budget shall work with agencies that are not meeting the customer service standards developed under section 3 to improve and modernize service delivery to develop solutions, including—

(1) evaluating the efforts of the agency to improve service delivery;

(2) developing a plan to improve within existing resources and by drawing on expertise and assistance from other agencies (including the Office of Management and Budget) where necessary;

(3) monitoring implementation by the agency of the plan developed under paragraph (2) until the customer service standards are met; and

(4) submitting to the Director of the Office of Management and Budget monthly reports on the progress being made to improve service at the agency until the customer service standards are met.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to Congress a report on the accomplishments and outcomes of the pilot program and any recommendations relating to achieving the customer service standards developed under section 3.

(e) SUPPORT.—The Administrator of General Services shall provide administrative and other support in order to implement the pilot program under this section. The heads of agencies shall, as appropriate and to the extent permitted by law, provide at the request of the Director of the Office of Management and Budget up to 2 personnel authorizations who have expertise in change management, process improvement, and information technology innovation to support the pilot program.

(f) TERMINATION.—The authority to carry out the pilot program shall terminate 2 years after the date of enactment of this Act.

SEC. 6. RETIREMENT REPORTING.

(a) DEFINITION.—In this section, the term ''agency'' has the meaning given that term in section 551 of title 5, United States Code.

(b) REPORTS.—

(1) IN GENERAL.—Except as provided in paragraph (2) and not later than 90 days after the date of enactment of this Act, and every month thereafter, the Director of the Office of Personnel Management shall submit to Congress and the Comptroller General of the United States, and issue publicly (including on the website of the Office of Personnel Management), a report that—

(A) for each agency, evaluates the timeliness, completeness, and accuracy of information submitted by the agency relating to employees of the agency who are retiring; and

(B) indicates—

(i) the total number of applications for retirement benefits, lump sum death benefits, court ordered benefits, phased retirement, and disability retirement that are pending action by the Office of Personnel Management; and

(ii) the number of months each such application has been pending.

(2) SUSPENSION OF REPORTING REQUIREMENT.—Paragraph (1) shall not apply to the Director of the Office of Personnel Management for any month immediately following an 18-month period in which the average processing time of applications described in paragraph (1)(B) reaches 90 days or less.

(c) MODERNIZATION TIMELINE.—The Director of the Office of Personnel Management shall establish—

(1) a timetable for the completion of each component of the customer-focused retirement processing system of the Office of Personnel Management, including all data elements required for accurate completion of adjudication; and

(2) the date by which all Federal payroll processing entities will electronically transmit all personnel data to the Office of Personnel Management.

(d) BUDGET REQUEST.—The Office of Personnel Management shall include a detailed statement regarding the progress of the Office of Personnel Management in completing the customer-focused retirement processing system of the Office of Personnel Management in each budget request of the Office of Personnel Management submitted as part of the preparation of the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code.

SEC. 7. NO INCREASE IN EXPENDITURES.

No additional funds are authorized to carry out this Act. This Act shall be carried out using amounts otherwise authorized or appropriated.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Massachusetts (Mr. LYNCH) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Americans depend on Federal agencies for certain vital services. Failure by Federal agencies and employees to process in a timely manner requests for help or information can result in frustration and financial hardship.

Poor customer service should not be tolerated at the IRS any more than it is at the private sector companies that must continually earn the right to serve its clients.

H.R. 1660 helps ensure our government is more responsive to the public by establishing customer service standards and performance expectations for each agency. It will enable citizens to provide direct feedback concerning specific agency employees—including at the IRS—and have that feedback considered in employee evaluations that impact the awarding of bonuses.

H.R. 1660 puts taxpayers first by holding Federal workers accountable for their interactions with the public.

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

Mr. LYNCH. Mr. Speaker, I rise in support of H.R. 1660, the Government Customer Service Improvement Act, and I yield myself such time as I may consume. I thank Representative CUELLAR, my friend from Texas, for his leadership and his persistence in advocating for this bill.

The Federal Government provides services that significantly impact the American people. There are many dedicated Federal employees who perform their jobs with professionalism and distinction.

But there are areas in need of improvement. For instance, the Department of Veterans Affairs takes an average of 243 days to process a disability claim, and that is unacceptable.

This legislation would require the Office of Management and Budget to establish government-wide standards for customer service delivery, including target response times for phone calls, emails, letters, benefits processing, and payments.

I thank the chairman of the full committee for working with me during the committee's consideration of this bill. The bill we are considering today includes a pilot project to evaluate customer feedback systems. This was a compromise that will provide a more limited application than requiring every agency to institute their own individual feedback system. I hope the chairman will continue to work with us and all Members on both sides in moving this bill as we go through this legislative process. It is important that we ensure that the bill can achieve its intended purposes without negatively impacting the ability of Federal employees to do their jobs.

H.R. 1660 is a good government bill in the truest sense.

At this point, I would like to yield such time as he may consume to the gentleman from Texas (Mr. CUELLAR), the principal sponsor of this bill.

Mr. CUELLAR. Mr. Speaker, I also want to thank the gentleman from Massachusetts for his time, the gentleman from North Carolina also, and I certainly want to thank Chairman ISSA, Ranking Member CUMMINGS, and the staff, both the Democratic and Republican staff, for helping pass this bill out of the Oversight and Government Reform Committee, and all the work and the compromises we worked out to make sure that we got a bipartisan bill.

The primary goal of the Federal Government is to serve taxpayers. Currently, U.S. law does not require Federal agencies customer service standards, which is long overdue.

Every day taxpayers interact with the Federal Government on a regular basis, whether it is through the passport services to travel, student loans through the Direct Loan Program to pay for higher education, health insurance under Medicare to get benefits, or Social Security for retirement planning. All these services are vital to operate a good government, especially in times when Americans are relying more on these types of services.

Too often we hear veterans are waiting months to get critical medical

services or Federal employees experience long waits for their retirement benefits. These are just two examples, but millions of Americans rely on Federal agencies for vital services, which is why we must usher in a new chapter to accelerate response time and overall performance for better customer experience.

With only one-third of Americans holding a favorable opinion of the Federal Government, according to a 2012 report from the Pew Research Center, this is a necessity that we must change. The bill is simple and necessary.

First of all, H.R. 1660 improves customer service standards across the board. It does this by requiring the Office of Management and Budget, the OMB, to develop performance standards to determine whether Federal agencies are providing high-quality customer service and improving service delivery to agency customers.

Second, the bill raises the bar for enhancing quality and access for customer service. This is accomplished by requiring agencies to collect information from their customers regarding the quality of service and ensures that there is customer feedback, which will be used to develop the standards.

This bill also requires the development of a customer service feedback system, the results of which must be included in annual performance reports. Just like the private sector strives to provide excellent customer service in business, the Federal Government should also embed better service to bring efficiency.

H.R. 1660 has no cost.

This bill also has precedent. We passed this last session, and now we are hoping that with enough time that we are passing this, we'll get it over to the Senate so we can get it passed.

This effort to examine agency customer service is also bicameral. Senator WARNER and Senator JOHNSON dropped a companion bipartisan bill, as well.

H.R. 1660 seeks to operate a better Federal Government to provide the taxpayers—who fund them—better quality service, which they deserve.

I thank you for the time, and I encourage my colleagues to support and pass this bill.

Mr. MEADOWS. Mr. Speaker, I want to thank the gentleman from Texas for his foresight in bringing forth this bill. I certainly appreciate the fact that we need to be providing better customer service to those who call in and talk to employees on a regular basis. I commend the gentleman from Texas for that.

I reserve the balance of my time.

Mr. LYNCH. At this point, I have no further speakers, and I yield back the balance of my time.

Mr. MEADOWS. Mr. Speaker, we have had some vigorous debate. Really what this is about is the American people back home. It is about doing the responsible thing for them to see that government actually works and that we are willing to stand up with the people back home to do what is best and right and return government back to ''we the people.''

It has been great to hear some of the arguments from my colleagues opposite. I thank the gentleman from Massachusetts, the passion with which he has argued these points; and I look forward to working with him in a bipartisan way on some of these issues that he has highlighted.

I urge all the Members to join me in support of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 1660, as amended.

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

A motion to reconsider was laid on the table.

STOP PLAYING ON CITIZENS' CASH ACT

Mr. ROSKAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2769) to impose a moratorium on conferences held by the Internal Revenue Service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2769

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop Playing on Citizens' Cash Act''.

SEC. 2. MORATORIUM ON IRS CONFERENCES.

The Internal Revenue Service shall not hold any conference until the Treasury Inspector General for Tax Administration submits a report to Congress—

(1) certifying that the Internal Revenue Service has implemented all of the recommendations set out in such Inspector General's report titled ''Review of the August 2010 Small Business/Self-Employed Division's Conference in Anaheim, California'', and

(2) describing such implementation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. ROSKAM) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

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

H.R. 2769 offers the House an opportunity to go back to our constituents who are asking this question when we are out and about at home: What in the world is the House of Representatives doing about the IRS scandals? There is a series of scandals that we've heard about that we've heard testimony from in both the Ways and Means Committee, on which I and the ranking member serve, and also the Government Oversight Committee—and my suspicion is maybe some other committees of the House. But when our constituents say, What in the world are you doing?, this bill that we are discussing is part of that remedy.

Here is one of the things that we have come to learn, Mr. Speaker:

We've come to learn that the Inspector General, the Treasury Inspector General for tax administration, did an audit; and in the course of the audit discovered that there were funds that were being misused in the context of conferences. Some of them were conferences that looked at, even in the most favorable light, even if you were looking at it in the most favorable light from an IRS point of view, were clearly gratuitous and an abuse and overspending. Some of this had to do with videos that were videos of parodies of the television show ''Star Trek'' and, actually, I think a bunch of nonsense. Some of it had to do with the purchasing of trinkets. Some of it had to do with overspending. So the Inspector General very clearly said, Look, there has to be a remedy here.

What the House is proposing in consideration of this bill is that all of these IRS conferences have to stop—hit the pause button on all of them—until the recommendations of the Inspector General are met. When the Inspector General then reports to Congress that those recommendations that would stop the nonsense have been fulfilled under a new set of criteria, the IRS says that they've met these, the Inspector General certifies it, then the conferences can go on.

□ 1530

I think it's thoughtful. I think it has been approached on a bipartisan basis. I have been very encouraged by the spirit with which the Democrats and Republicans on the Ways and Means Committee have worked together to investigate and inquire of the IRS but not just looking through the rearview mirror. Looking through the rearview mirror, yes, but also saying: What did we learn? How do we prospectively make sure that these things don't happen again?

With that, I reserve the balance of my time.

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

The bills today and the bill on Friday on ACA are more about politics than policy—politics at any cost by the Republican majority. They want to change the subject from their inability to legislate and their refusal to go to conference on a budget so that we could implement long-term deficit reduction and not threaten our economy

with default again this fall. In their abysmal failure to act on jobs legislation all of these months, there has been no real effort to join hands on their part on jobs—the number one concern of the American people. So they hope to launch their so-called ''Republican playbook'' for August by which they have told their Members to go home and echo the same message and reaffirm their theme—fighting Washington for you.

They have failed miserably to fight in Washington for you, the American people.

There was terrible mismanagement at the IRS in the Tax Exempt Division. I was among the first to call for the Acting Commissioner and Lois Lerner to be removed from their duties; but instead of exploiting the deep problems at the IRS Tax Exempt Division, instead of exploiting them for political purposes, we should be fixing these problems and restoring the trust of the American people in that entity, the entity to which they voluntarily pay taxes. The Republicans have desperately sought to tie their antigovernment message to the President. Let's review the Republican approach, some of it.

Chairman ISSA said:

> This was a targeting of the President's political enemies, effectively, and lies about it during the election year so that it wasn't discovered until afterwards.

Chairman HAL ROGERS said:

> Of course, the enemies list out of the White House that IRS was engaged in shutting down or trying to shut down the conservative political viewpoint across the country—an enemies list that rivals those of another President some time ago.

Totally, totally false.

The facts were clear that both conservative and liberal groups were in the groups set aside by the IRS for further scrutiny, and when that became clear, the Republicans shifted to the notion that the conservative groups received more scrutiny. When all evidence to date has indicated that there was no political motivation involved and that no one outside of the IRS was involved, the majority of Republicans here shifted to the notion that they don't have all of the documents, but the political motivation has been that of the Republicans.

I want to also, at this time, express our deep disappointment with the work of the IG and the audit that he did on the Tax Exempt Division. He failed to disclose that both conservative and liberal groups were set aside for further scrutiny. He failed to disclose that he asked his investigative arm to review 5,500 emails and that they found no evidence of political motivation. This flawed report set the stage for the Republicans' manipulation of the facts, and now we are going to spend months cleaning up that work.

As to the bills before us today, these three bills, we agree that the IRS should stop unnecessary conferences, that the employees should not do their work with any political motivation, and that taxpayer rights should be codified in the law.

This bill would impose a moratorium on conferences held by the IRS until the inspector general has submitted a report to Congress that certifies that all recommendations from the TIGTA audit of the IRS conference in Anaheim have been implemented. This audit report included nine recommendations, as the majority has now said, for the IRS to improve the oversight of conferences.

I just want the facts to be put on the table here as to what has happened by the leadership now of the IRS.

Three of the nine recommendations have been fully implemented, and it is anticipated that the remaining six recommendations will be put in place shortly, likely within 3 months. We all agree with the recommendations. The IRS has already agreed to those recommendations, and importantly, it must be acknowledged it is in the process of implementing all nine of these recommendations over the next few months.

I reserve the balance of my time.

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

Mr. Speaker, I suppose that's an endorsement of the bill. It took a while. The ranking member took us on a journey, and I appreciate the journey, but I think what the ranking member said is that he actually supports H.R. 2769, and I appreciate that. I think one of the things that may have been persuasive to the ranking member, which was persuasive to me, is that part of the report—the summary from the inspector general—in which the inspector general, after reviewing all of this, says that procedures at the time of the conference did not require IRS management to track and report actual conference costs.

In other words, the IRS wasn't holding to a standard that it holds you to, Mr. Speaker, and your constituents or the ranking member's constituents or my constituents, because, when my constituents go to the IRS and when they say, ''Well, I don't have my receipts,'' or ''I don't have 'this' or I don't have 'that,'" they get a cold, glassy-eyed stare from the Internal Revenue Service and no mercy from the Internal Revenue Service.

So I am delighted and I am encouraged, and I very much appreciate the ranking member's pointing out the progress that the IRS has made and the other areas where the IRS needs to go. Just let me briefly draw the body's attention to what these nine actual recommendations are. After all, this is not climbing Mount Everest, but they are pretty solid, commonsense recommendations:

It requires the IRS' Chief Financial Officer to verify that appropriate information is being tracked to ensure actual costs of the conferences can be established and audited. That's what I referenced a minute ago;

It implements a policy to determine whether training sessions held at the conference qualify for continuing professional education credits for CPA employees;

It sets standards for the site of a conference. The report recommends against nongovernmental facilities unless the benefits will offset increased expenditures and spending will not be seen as unnecessary by the public;

It implements procedures to identify when nongovernment event planners are used, how much they are paid and how they are being selected;

It directs the Chief Financial Officer to establish standards regarding planning trips for conferences;

It outlines the necessity for produced videos at conferences in response to the claim that the IRS spent over $50,000 on video skits;

It sets standards on whether hotel room upgrades should be allowed;

It requires the submission of W–2 tax forms for local IRS employees who were reimbursed for staying overnight at conferences—just a little irony there if you're tracking with me, Mr. Speaker;

Finally, it recommends that the CFO establish procedures to determine the necessity of an exhibitor's hall, promotional items, and other significant costs.

Common sense. Thoughtful. It's meant to restore the public's confidence in the Internal Revenue Service, and it is my hope that it is widely supported on both sides of the aisle today.

I reserve the balance of my time.

Mr. LEVIN. Might I ask the gentleman, are you ready to close?

Mr. ROSKAM. I am.

Mr. LEVIN. I yield myself the balance of my time.

Mr. Speaker, I think all of the recommendations make sense. We Democrats—throughout our Caucus and the President, all of us—joined in making clear what we thought of the mismanagement within the IRS and what we thought about the abuse of conferences.

As I said before, with this leadership of IRS appointed by the President, all of these recommendations either have been implemented or are in the process of being implemented. So, before the end of the year—I think well before it—this one problem—and there are others—will be resolved. I support this bill.

I yield back the balance of my time.

Mr. ROSKAM. Mr. Speaker, I urge an ''aye'' vote on H.R. 2769, and I yield back the balance of my time.

Mr. CRENSHAW. Mr. Speaker, as the Chairman of the Appropriations Subcommittee on Financial Services and General Government, my Subcommittee directly oversees the Internal Revenue Service's budget. And for the past 6 months now I have witnessed an arrogant and absolute abuse of power. Targeting groups based on their names and political beliefs is both chilling and outrageous regardless of their political affiliation. And then

finding out of the flagrant waste of taxpayer dollars on conferences and videos, is just downright disheartening.

Two weeks ago my Subcommittee Marked–up our Fiscal Year 2014 Financial Services and General Government Appropriations bill in the full Appropriations Committee. In my mark, I include this exact language of H.R. 2769, the "Stop Playing on Citizen's Cash Act"—common sense legislation prohibiting conferences until the IRS implement all of the recommendations from the Treasury Inspector General for Tax Administration.

As the agency tasked with processing over 237 million tax returns that result in the collection of $2.5 trillion in taxes and $373 billion in refunds annually you would think they would have safeguards in place that treats all Americans equal and the hard-earned taxpayer dollars they send to Washington spent wisely, effectively and legally. This however, is not the case.

Congress appropriates more than $10 billion in hard-earned taxpayer dollars each year for IRS operations. Before we spend one more dime on the IRS, we need to know how it spends the money it already receives. And, we need to know what safeguards the IRS plans to have in place to make sure the funds are used in a legal and appropriate way.

These conferences and videos were a flagrant waste of taxpayer dollars. And, what is most disconcerting, the money came in part from unused funds from the IRS enforcement budget—at a time when they were asking for even more funding.

Nonetheless, we need to fund this agency so that it can accurately answer questions from individuals and businesses about tax issues, produce tax forms and instructions that promote compliance, process tax returns in a timely manner, and investigate criminals committing tax fraud.

However, we cannot in good conscience provide taxpayer dollars that are used to abuse the rights of American citizens, nor can we provide dollars that are wasted in such a flagrant manner as we have discovered.

Mr. Speaker, I want to thank the gentlemen from Illinois for bringing forward this common sense legislation to the floor; a step in the right direction of accountability for an agency that receives such a large appropriation of taxpayer dollars.

But I also hope we can bring forward the Fiscal Year 2014 Financial Services and General Government Appropriations bill to the floor for consideration. It is time to have a serious debate on ways to increase transparency and bring accountability to many agencies that have had a history of wasteful spending.

Just last year we heard of the GSA scandal at their Las Vegas conference. This year we included instructions to make the GSA more transparent by requiring additional reporting, separating administrative funds from programmatic funds, and encouraging the better utilization of their space inventory.

In addition, we make regulators such as the FCC and FTC do more with less. And in order to increase the transparency and accountability of agencies created by Dodd–Frank, the bill makes the Consumer Financial Protection Bureau subject to the appropriations process.

I strongly encourage my colleagues to vote in favor of H.R. 2769 on the floor today. A voluntary tax system depends on a fair and impartial collection process because, as Chief Justice Marshall said, the power to tax is the power to destroy.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. ROSKAM) that the House suspend the rules and pass the bill, H.R. 2769, as amended.

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

A motion to reconsider was laid on the table.

TAXPAYER BILL OF RIGHTS ACT OF 2013

Mr. ROSKAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2768) to amend the Internal Revenue Code of 1986 to clarify that a duty of the Commissioner of Internal Revenue is to ensure that Internal Revenue Service employees are familiar with and act in accord with certain taxpayer rights, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2768

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Taxpayer Bill of Rights Act of 2013''.

SEC. 2. DUTY TO ENSURE THAT IRS EMPLOYEES ARE FAMILIAR WITH AND ACT IN ACCORD WITH CERTAIN TAXPAYER RIGHTS.

Section 7803*(a)* of the Internal Revenue Code of 1986 is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

''(3) EXECUTION OF DUTIES IN ACCORD WITH TAXPAYER RIGHTS.—In discharging his duties, the Commissioner shall ensure that employees of the Internal Revenue Service are familiar with and act in accord with taxpayer rights as afforded by other provisions of this title, including—

''(A) the right to be informed,

''(B) the right to be assisted,

''(C) the right to be heard,

''(D) the right to pay no more than the correct amount of tax,

''(E) the right of appeal,

''(F) the right to certainty,

''(G) the right to privacy,

''(H) the right to confidentiality,

''(I) the right to representation, and

''(J) the right to a fair and just tax system.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. ROSKAM) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

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

H.R. 2768 is entitled the ''Taxpayer Bill of Rights Act of 2013.'' What it does is address a fundamental question. There was an ambiguity, apparently, Mr. Speaker, in the testimony that you heard in the Ways and Means Committee and that the ranking member heard in the Ways and Means Committee and in some other testimony that we've heard from the other body, which is this: Who is responsible for having an understanding of what's going on at the Internal Revenue Service? Who is responsible for the missteps and the mishaps and so forth?

There was a theme that we heard from a couple of folks who you would have thought would have said that the responsibility was theirs, but they weren't really willing to take the responsibility. Here is what I mean by that. There currently exists 10 enumerated rights in the statute, and let me just quickly run through these. It's important that we look at this as a foundation upon which we have an expectation that the Internal Revenue Service is operating:

Taxpayers have the right to be informed, the right to be assisted, the right to be heard, the right to pay no more than the correct amount of tax, the right of appeal, the right of certainty, the right of privacy, the right of confidentiality, the right to representation, and the right to a fair and just tax system.

That's current law, but here is where parts of things get lost in the shuffle in that, apparently, the Commissioner of the Internal Revenue Service doesn't view that as that person's responsibility to make sure, A, that the Commissioner knows it and, B, that other employees know it.

So what we are doing today, what we are proposing to the House today, is to put this in a place in the statute that unambiguously says that this is the responsibility of the Commissioner's. I alluded to a couple of quotes before, and I want to walk through them with you just briefly and put it in this context:

What we are talking about, Mr. Speaker, are fundamental rights that are foundational and that the Congress has put into the Internal Revenue Code to make sure that taxpayers are protected. This is settled ground. This is common knowledge. This is a general understanding. There is no new ground. Nobody is hunting out ahead of the pack here. This is a very solid doctrine, these 10 enumerated rights.

□ 1545

The former Commissioner of the Internal Revenue Service, Douglas Shulman, said before the Finance Committee in the other body on May 21:

I certainly am not personally responsible for creating a list that had inappropriate criteria on it. What I know, with the full facts that are out, is from the inspector general's

report, which doesn't say I'm responsible for that.

With that said, this happened on my watch, and I very much regret that it happened on my watch.

He also said this:

I had a partial set of facts, and I knew that the inspector general was going to be looking into it, and I knew that it was going to be stopped. Sitting there then and sitting here today, I think I made the right decision, which is to let the inspector general get to the bottom of it, chase down all the facts, and then make his findings public.

We heard, in the Ways and Means Committee, Mr. Speaker, from the former Acting Commissioner, Steven Miller. He said this:

I think that what happened here was that foolish mistakes were made by people trying to be more efficient in their workload selection. The listing described in the report, while intolerable, was a mistake and was not an act of partisanship.

Can you imagine how we would all be feeling if somebody came and there was an officer of the law who said, Well, I know I'm supposed to read Miranda rights. I know that's what the law says. I know it's settled doctrine. I know that that's what a defendant expects. But I was busy. I had a heavy workload. So I chose not to Mirandize the defendant. I just figured I didn't have enough time.

There are so many things that are going on in this IRS story, there are so many components and elements of it, much of this is actually things that we have yet to learn. I think we're marveling every day at new facts that are coming out, and I think the House has been very disciplined, frankly, in letting the facts speak for themselves. But there is a fact, and here it is: there is ambiguity about who is in charge at the IRS; there is ambiguity about who is responsible at the IRS. And when the IRS commissioners, both of these recent appointees—not the current one, but both recent appointees—have the sense of, Well, the responsibility belongs here and the responsibility belongs there, I think it is incumbent on the House to say, No, the responsibility for this lies with the Commissioner of the Internal Revenue Service, and that's what the plain language of this bill does.

I reserve the balance of my time.

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

I support this bill, and I think everybody will.

I think we all agree that IRS employees, indeed, should perform their duties in accordance with the taxpayers' rights outlined in this bill. These rights have been outlined a number of times in the National Taxpayer Advocate's annual report to Congress. In fact, Democrats in the past have introduced legislation to codify these rights, and the National Taxpayer Advocate's support for codifying these rights dates back to 2007.

I urge support of this bill, and I yield back the balance of my time.

Mr. ROSKAM. Mr. Speaker, I urge an ''aye'' vote on H.R. 2768, and I yield back the balance of my time

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. ROSKAM) that the House suspend the rules and pass the bill, H.R. 2768, as amended.

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

A motion to reconsider was laid on the table.

STOP TARGETING OUR POLITICS IRS ACT

Mr. RENACCI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2565) to provide for the termination of employment of employees of the Internal Revenue Service who take certain official actions for political purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2565

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop Targeting Our Politics IRS Act'' or as the ''STOP IRS Act''.

SEC. 2. TERMINATION OF EMPLOYMENT OF INTERNAL REVENUE SERVICE EMPLOYEES FOR TAKING OFFICIAL ACTIONS FOR POLITICAL PURPOSES.

Paragraph (10) of section 1203(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 is amended to read as follows:

''(10) performing, delaying, or failing to perform (or threatening to perform, delay, or fail to perform) any official action (including any audit) with respect to a taxpayer for purpose of extracting personal gain or benefit or for a political purpose.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. RENACCI) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. RENACCI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and add extraneous material on this bill.

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

There was no objection.

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

I rise today to urge approval of H.R. 2565, the Stop Targeting Our Politics IRS Act.

Despite being introduced only 1 month ago, this bipartisan legislation already has over 75 cosponsors, but also overwhelming support from the American people. This support shows that the vast majority of Members and Americans, regardless of their party affiliation, believe the IRS should be above politics. This is not a partisan issue. It is absolutely unacceptable for a government official to consider the political leanings of any taxpayer when conducting official business.

If it is determined that a Federal employer did, in fact, engage in targeting, they should be relieved of their duties. It is that simple. In fact, this is so commonsense, in 1998, Congress enacted the IRS Restructuring and Reform Act by a vote of 402–8. That legislation sought to bring accountability to the IRS by allowing for immediate termination of IRS employees who engaged in the so-called ''10 Deadly Sins'' against taxpayers.

A large percentage of the Members here in this Chamber today supported those reforms back then. Unfortunately, while the legislation covers many offenses, it did not include political targeting. I have no doubt this was a simple oversight. I cannot imagine any Member would support a process for removing an employee for bad behavior, but somehow not consider political targeting to be bad enough. This is exactly what my legislation would do. It would specifically spell out that any IRS employee, regardless of political affiliation, who targeted a taxpayer for political purposes could be immediately relieved of their duties. This legislation does not change any of the procedures for removing an IRS employee. It simply adds political targeting to the list of 10 Deadly Sins already in existence. Any statements to the contrary are simply not true.

Some have said this bill is not needed because the current investigation is still ongoing. This legislation does not, in any way, impact the current investigation. It simply says, regardless of the current situation, if you work for the IRS, you cannot target taxpayers for political purposes. There should be no controversy in that. There is currently a process in place to remove bad actors. There is currently a list of offenses that would subject an employee to that process. All I want to do is add political targeting to the list of fireable offenses.

Regardless of the outcome of this current investigation, the reputation and credibility of the IRS has been badly damaged. The IRS needs this legislation. The entire Federal Government needs this legislation. And most importantly, the American people need this legislation. They need to know that they will not be targeted by their government for political purposes. They need to know that those who are entrusted with the vast power of this Federal Government are going to act in a responsible and professional manner, or be held accountable if they do not.

I urge all Members to support this legislation, and I reserve the balance of my time.

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

Let me spend a few minutes, if I might, discussing the context of this legislation and a bit of what's in it.

The Internal Revenue Service Restructuring and Reform Act of 1998 enacted a list of 10 ''acts or omissions''

for which IRS employees face mandatory firing. This bill would amend the 10th act or omission to expand existing grounds for termination to include political motivation.

We all agree that IRS employees should not act with a political purpose. We all passionately believe that. But I want it to be clear that because of the environment in which this bill is being considered, there is absolutely no evidence that any IRS employees acted with political motivation in the matter under investigation. The inspector general reviewed and concluded that ''there is no indication that pulling these selected applications was politically motivated.''

The inspector general has come before Congress repeatedly and testified numerous times that he has found no evidence of political motivation. At the very first hearing on this matter that was held in mid-May, the inspector general was asked if he found any evidence of political motivation in the selection of the tax exemption applications. He answered, ''We did not, sir.''

When questioned by my colleague on the Ways and Means Committee, Mr. MCDERMOTT, whether he stands behind the assertion that ''no one acted out of malice or political motivation,'' the inspector general answered, ''We have no evidence at this time to contradict that assertion, sir.''

When my colleague on the Ways and Means Committee, Mr. BECERRA, asked him if it is correct that he did not find any evidence of political motivation here, the inspector general replied, ''That is correct, sir.''

In addition—and I want to emphasize this—staff from the Ways and Means Committee and Government Oversight Committees of this House have interviewed 17 IRS employees directly involved in this matter under oath, and none of these employees have suggested that the IRS actions were either politically motivated or the result of influence by any individual or organization outside of the IRS.

Finally, as I mentioned earlier, the IG asked his investigative arm to review 5,500 emails. The head of the investigation concluded, ''The emails indicated the organizations needed to be pulled because the IRS employees were not sure how to process them, not because they wanted to stall or hinder the application. There was no indication that pulling these applications was politically motivated. The email traffic indicated there were unclear processing directions and the group wanted to make sure they had guidance on processing the applications so they pulled them.''

It's clear that there's no evidence of political motivation by the IRS under investigation now. Indeed, there has been too much political motivation in this entire effort by Republicans.

I want to say just a few words about what's in the bill, and the gentleman from Ohio and I have discussed this. The majority did not follow regular order. This bill did not come before the Ways and Means Committee. It essentially was not considered either at the subcommittee level, I believe, or the full committee level. So the Republican majority, in my judgment, did not carefully draft their bill to ensure that it was consistent with the current statute. If it had done so, there might have been improvement to this legislation and added the language ''willful failure'' as it appears under four of the other acts and omissions.

I think this bill will go to the Senate, as it should. I hope if it considers it, it will take up this issue of whether or not there should be a willful requirement in terms of its conduct because we're talking about the ability administratively to discharge an employee.

□ 1600

I think if there is political motivation on their part, action should be taken. I think it is also important that we understand that there had to be some willfulness in that action.

I reserve the balance of my time.

Mr. RENACCI. Mr. Speaker, I would like to start by saying this bill has nothing to do with the current investigation. It's really about installing public confidence back when it comes to the IRS. I would also like to say this that bill makes no changes to the current process or procedures for removing an IRS employee. It would simply add political targeting to the list of offenses listed in current law. And I've already said, in 1998, this legislation was approved 402–8.

As far as not having a hearing, is that technically going to be the reason opponents vote again restoring credibility to the IRS? And for the record, this bill was widely circulated, and I was more than willing to make changes to the bipartisan legislation. I drafted this language to remain as close to existing law as possible.

My addition is simply added to the current offense list No. 10: targeting a taxpayer for personal gain. Under current law, No. 10 does not use the term ''willful.'' Therefore, I did not add willful. However, targeting a taxpayer for personal gain or political purposes could only be done in an intentional manner. And let's not forget the Commissioner of the IRS always has the ability to not remove somebody.

I reserve the balance of my time.

Mr. LEVIN. It is now my pleasure to yield 3 minutes to the distinguished gentleman from New York (Mr. CROWLEY), a member of our committee and the vice chair of our caucus.

Mr. CROWLEY. I thank my friend and colleague and ranking member of the Ways and Means Committee for yielding me this time.

I do appreciate and I don't want to call into question the motivation of how this bill came to the floor, but I find it hard to believe that we are here on this particular issue dealing with individuals who work at the IRS and what would be deemed as a fireable offense and somehow not be related to the ongoing investigation into the IRS and the political motivations behind not the gentleman but my Republican colleagues as a whole in bringing this bill to the floor without a hearing in committee. That it just happened to fall onto the floor this afternoon and has no tangential connection to what is happening, I find a little bit difficult to believe.

Mr. Speaker, I rise in opposition to this bill because it is not an attempt at better governance, but rather it is a solution in search of a problem. In the months of investigations into the IRS targeting of nonprofits, here is what we found without a doubt:

Progressive groups were targeted alongside Tea Party affiliations.

There was no interference or coordination in the targeting scandal by anyone at the White House or at the Treasury Department.

No IRS agents have ever been cited or even been accused of forcing their own personal political ideology onto the process of granting nonprofit status. In fact, the person who was in charge of the IRS nonprofit office in Cincinnati self-identifies as a conservative Republican.

Those are all facts. So this bill is a solution in search of a problem.

But still, Mr. Speaker, I recognize the sensitive powers at the fingertips of IRS employees, and I would be open to looking into whether we should add something to this as a fireable offense. But the Ways and Means Committee, as I said before, held no hearings on this bill. We've had many hearings of testimony on the issue of the IRS, but not on this specific bill. It was never considered in committee. It was drafted at the last minute to fulfill, in my opinion, the Republican Party desire to say how awful government is. What better way to do it than to use the IRS?

And when you govern like that, these are the kinds of bills we get on the floor. But worse, I believe this is just a ploy being used to cover up the facts surrounding this IRS problem, and I believe it actually harms our ability to address the real management issues at the IRS that were the basis of the problem to begin with.

So once again, Mr. Speaker, with all due respect, bills don't just fall out of the sky and land on the floor of the House without a hearing in committee.

The SPEAKER pro tempore (Mr. GARDNER). The time of the gentleman has expired.

Mr. LEVIN. I yield an additional 1 minute to the gentleman.

Mr. CROWLEY. Bills don't just fall out of the sky, Mr. Speaker. They don't. They're here to meet a purpose. The purpose was to evade the committee process in regular order and to bring this bill here before we break for the summer recess, the last week in Congress before the summer recess, for a political purpose. I've stated it. It's not worth restating again, but I do suggest that the notion or idea that this

bill is on the floor and has nothing to do with the ongoing investigation, in my opinion, is very hard to believe.

Mr. RENACCI. Mr. Speaker, I hope the American people are listening to this debate because the American people are the ones who have the right, they have the right to know that they are not going to be targeted, whether they're conservative, liberal, whatever organization they are. And that's what this bill is about. It's about the American people.

In regards to bringing it up in a hearing, it's interesting because I think my colleagues were at the hearing where I actually asked the Commissioner what he thought about political targeting being added and he indicated he wasn't sure if it was in there, but thought it was a good idea. So even the Acting Commissioner made that comment, that this was an issue that should be considered.

This is about the American people. This is about restoring confidence not only in the American people but in the IRS. As an employer for over 28 years, I wanted to make sure all of my employees felt the integrity, and when there was a concern, we had issues with fixing that problem. This is about fixing a problem for the American people. I hope the American people continue to listen to this debate because this is one that I know the American people are behind.

I reserve the balance of my time.

Mr. LEVIN. Is the gentleman from Ohio ready to close?

Mr. RENACCI. I am.

Mr. LEVIN. I yield myself the balance of my time.

There's no question there should be no political motivation. So far there's been no evidence there was any.

This bill is being brought up in a context. It's outlined in the Republican playbook and, that is, go home and essentially go after the government. I think we should make sure in Washington that we act so the government acts on our behalf.

So everybody can reach their own judgment. I've told the gentleman from Ohio that the way you drafted it—and I'll just read this. The present language says ''threatening to audit a taxpayer for the purpose of extracting personal gain or benefit.'' That's the present language. Threatening is willful by definition. You can't threaten somebody unwillfully. Instead, we have new language, and I want to pick up the point of Mr. CROWLEY in terms of regular procedure. I mentioned it before.

It's important that we follow regular order in this institution. The bills before oversight were brought before the committee. We had no chance to act on this, and I would have suggested that the word ''willful'' be placed before it. However, everyone will vote as they wish on this. I think it will pass. It will go over to the Senate, and I will suggest if this passes and the Senate decides to act, that they take a clear look at whether there needs to be a requirement of an intentional misdeed as defined here because what we're talking about is the discharge of an employee; and whether it's IRS or some other government employee, whether in a local unit or any unit, it seems to me—or in the military, for example—I think we want to have some consideration of due process for them.

So that's the basis for the discussion here. This bill, I think, talks about political motivation. And I just wanted to add, as I end, the thought expressed before. There has been no evidence of political motivation by an IRS employee, and the effort to try to tie what happened there to the executive was an example of pure political motivation and terribly misguided and I think a harmful kind of connection when it did not exist. We should not do that in this country.

I yield back the balance of my time.

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

First, I want to thank my colleague for saying that political targeting should not occur in any way, shape, or form. So I would agree with him. And what this does, this ensures no political targeting going forward, which is important. We agree that political targeting shouldn't occur. This ensures political targeting doesn't happen going forward.

The other issue, when we talk about the change in the language, the current language says threatening to audit a taxpayer for the purpose of extracting personal gain. We talk about the same thing by saying:

> Performing, delaying, or failing to perform (or threatening to perform, delay, or fail to perform) any official action (including any audit) with respect to a taxpayer for purpose of extracting personal gain or benefit or for a political purpose.

So we are actually protecting the integrity of the IRS going forward. This is a simple piece of legislation that really implements the will of the American people. It shows we will not allow our constituents to be targeted based on their political beliefs. This is the only bipartisan measure we consider on this topic today. It simply improves an existing process that was approved with overwhelming bipartisan support.

As I said earlier, the IRS needs this. The hardworking employees of the IRS who have been tainted by this scandal need this. But let's remember this has nothing to do with the scandal. Let's begin the long process of restoring faith in our government. Let's come together, put politics aside, and show the American people that the IRS is above politics. I urge all Members to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. RENACCI) that the House suspend the rules and pass the bill, H.R. 2565.

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

A motion to reconsider was laid on the table.

BIPARTISAN STUDENT LOAN CERTAINTY ACT OF 2013

Mr. KLINE. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the ''Bipartisan Student Loan Certainty Act of 2013''.

SEC. 2. INTEREST RATES.

(a) INTEREST RATES.—Section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) is amended—

(1) in paragraph (7)—

(A) in the paragraph heading, by inserting ''AND BEFORE JULY 1, 2013'' after ''ON OR AFTER JULY 1, 2006'';

(B) in subparagraph (A), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,'';

(C) in subparagraph (B), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,''; and

(D) in subparagraph (C), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,'';

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(3) by inserting after paragraph (7) the following:

''(8) INTEREST RATE PROVISIONS FOR NEW LOANS ON OR AFTER JULY 1, 2013.—

''(A) RATES FOR UNDERGRADUATE FDSL AND FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans issued to undergraduate students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 2.05 percent; or

''(ii) 8.25 percent.

''(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

''(ii) 9.5 percent.

''(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

''(ii) 10.5 percent.

''(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

''(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

''(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 3. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay- As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 4. STUDY ON THE ACTUAL COST OF ADMINISTERING THE FEDERAL STUDENT LOAN PROGRAMS.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study that determines the actual cost to the Federal Government of carrying out the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), which shall—

(A) provide estimates relying on accurate information based on past, current, and projected data as to the appropriate index and mark-up rate for the Federal Government's cost of borrowing that would allow the Federal Government to effectively administer and cover the cost of the Federal student programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) under the scoring rules outlined in the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.);

(B) provide the information described in this section in a way that separates out administrative costs, interest rate, and other loan terms and conditions; and

(C) set forth clear recommendations to the relevant authorizing committees of Congress as to how future legislation can incorporate the results of the study described in this section to allow for the administration of the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) without generating any additional revenue to the Federal Government except revenue that is needed to carry out such programs; and

(2) prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives setting forth the conclusions of the study described in this section in such a manner that the recommendations included in the report can inform future reauthorizations of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1911.

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

There was no objection.

□ 1615

Mr. KLINE. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in strong support of the Bipartisan Student Loan Certainty Act, also known as the Smarter Solutions for Students Act.

After many weeks of delay, I'm pleased we finally have a bipartisan agreement to address the student loan interest rate problem. My colleagues and I have been fighting for months for a long-term, market-based solution that will serve students and taxpayers, and the legislation before us today will do just that.

As you can see in this chart, much like the Smarter Solutions for Students Act approved by the House back in May, the Bipartisan Student Loan Certainty Act will tie student loan interest rates to the market, taking away the uncertainty that comes with allowing Congress to arbitrarily set rates.

Similarly, both bills provide a permanent fix to the interest rate problem, granting students the certainty they need to make smart, fiscally responsible investments in their education.

And most importantly, this legislation, like its predecessor, doesn't unfairly penalize taxpayers. Unlike some half-baked proposals that would put taxpayers on the hook for billions of dollars to pay for artificially low student loan interest rates, both the House-passed Smarter Solutions for Students Act and the Bipartisan Student Loan Certainty Act will generate a small amount of savings over 10 years.

Reports confirm the similarities between the House bill and its Senate companion. MSNBC has said the House bill is ''very similar'' to the Senate proposal. The Minneapolis Star Tribune recently noted the Senate compromise ''closely resembles'' the House-passed Smarter Solutions for Students Act, and the Associated Press called the differences between the two proposals ''relatively small.''

While I'm happy with the legislation we will consider today, I'm disappointed it took us so long to get to this point. Students and their families got roped into an all-too-tumultuous debate and were forced to deal with the fallout when Congress was unable to reach an agreement to prevent subsidized Stafford loan interest rates from doubling on July 1.

By getting politicians out of the business of setting student loan interest rates, the measure we consider today will protect students from future uncertainty. I applaud my colleagues on the other side of the aisle for finally recognizing this long-term, market-based proposal for what it is: a win for students and taxpayers.

Mr. Speaker, I strongly urge my colleagues to join me in supporting H.R. 1911.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I rise in support of the Bipartisan Student Loan Certainty Act. It has been nearly a month since interest rates on student loans were allowed to double on millions of our neediest students, but thanks to the bipartisan negotiations in the Senate, we now have a solution that provides real relief. And I want to thank Senator DURBIN, Senator HARKIN, Senator MANCHIN, and Senator KING for all of their work on this effort.

Thanks to this legislation, over the next 5 years, borrowers across the country will save $25 billion in interest payments. In my home State of California, this bill will cut the cost of college for more than 550,000 students this coming academic year. It was worth the wait.

When we started work on this issue, I said that any long-term solution to student loan interest rates must help, not harm the students or their families, must not make college more expensive, and it must protect students in the future from spiking interest rates. I believe that this bipartisan bill accomplishes that goal.

It locks in interest rates for borrowers when they sign on to their loans; it provides a reasonable cap to protect students from rising interest rates; and it rolls back the doubling of interest rates, saving students and families real money right now.

Today's bipartisan student loan deal stands in stark contrast to the partisan bill passed by the House majority in May. The bill would have made college more expensive by nearly $4 billion to students and their families. It would have subjected students to a bait-and-switch scheme. It offered students teaser rates that balloon annually, leaving students deeper in debt and guessing what they will owe.

If you look at this chart, you will see that, under the bipartisan agreement we're voting on today, it will cost students about $11,363. The current law raises the cost to $14,000, and the bill that passed the House, the Republican

bill, was $16,400. So it's been well worth students to have this disagreement, to have this wait so that we could save this kind of money for students and families.

Next year's freshmen who borrow a maximum amount of subsidized and unsubsidized Stafford loans over 5 years would have paid $5,000 more in interest rates under the House Republican plan than under today's bipartisan compromise, and nearly $2,000 more than if we did nothing.

The House majority's solution wasn't a solution at all. Their approach was best summed up by the chair of the Higher Education Subcommittee who recently said, ''It is not the role of the Congress to make college affordable or accessible.''

I couldn't disagree more. That statement explains why their bill piled debt on the backs of students rather than trying to lighten the load.

The Senate bill before us today takes the opposite approach. It saves students and families money.

I understand the concerns that some have raised by this solution. While it provides real relief for the next few years, it does not solve the long-term student debt crisis. We have much more work to do to address the underlying cost of college, and we must remain on guard against any unacceptable rise in interest rates.

In the meantime, we now have a bill that will make a positive difference to families struggling to pay for college.

Today, I ask the Republican majority to drop their support for the original House bill that was so devastating to students and families and, instead, support this bipartisan bill that delivers real interest rate relief for millions of Americans.

I reserve the balance of my time.

Mr. KLINE. Mr. Speaker, I yield 4 minutes to the gentlewoman from North Carolina (Ms. FOXX), the chair of the Higher Education Subcommittee.

Ms. FOXX. Mr. Speaker, I thank the chairman for yielding time.

I rise in support of the Smarter Solutions for Students Act, renamed as the Bipartisan Student Loan Certainty Act by the Senate. It's about time that bipartisanship on this issue won the day in Washington.

Earlier this year, my colleagues and I warmly welcomed the President's ideas to settle how student loan interest rates are calculated. Referencing his plan and his premise that student loan interest rates should be permanently free of politics and set using market interest rates, we introduced, and a bipartisan House majority passed, the Smarter Solutions for Students Act in May, well before rates were scheduled to double on July 1.

Our friends in the Senate were on a much different schedule. Rather than immediately building on the striking similarities between President Obama's initial proposal and the House Republican solution, Senate Democrats chose infighting over completing this important work.

July 1 came and went without any agreement from the Senate. Rates doubled.

But advocates of common sense and bipartisanship made a better case. Last week, Senate Democrats finally chose to support a permanent, market-based solution much like what the President had originally requested and practically identical to our Smarter Solutions for Students Act.

Campaign promises and political posturing should not play a role in the calculation of student loan interest rates. As we've seen, Washington's involvement in the rate-setting equation is a recipe for uncertainty and confusion. Borrowers deserve better.

The Bipartisan Student Loan Certainty Act will apply predictable, market-based interest rates to all Federal Stafford and PLUS loans, ensuring that student and parent borrowers will be able to capitalize with certainty on low rates while being shielded from high rates by specified caps.

From personal experience, I know that paying for college is hard work. It's getting harder as tuition and fees increase, and the vast majority of American households are feeling that pressure.

The need for solutions to help ease the challenge of college affordability is especially acute in today's jobless economy. Many recent graduates took out loans with the expectation that they would be able to find a job to pay off their debt. Now, many find themselves among the 53 percent of their peers struggling with un-or underemployment.

Like our colleagues across the aisle, we want every student to have the necessary, honest information they need to make an informed decision about the financial obligations they voluntarily assume, and we want taxpayer subsidies for higher education to be well-spent, not wasted.

Now, with interest rates settled permanently for students and taxpayers, the Higher Education Subcommittee I chair will continue to look for and promote solutions to help bring clarity to college costs for all students and families considering the investment.

Students, families, and taxpayers deserve a long-term student loan solution, not more can-kicking from Washington. The Bipartisan Student Loan Certainty Act, like the House-passed Smarter Solutions for Students Act, puts an end to temporary fixes and campaign promises that have failed to strengthen our Nation's student loan system. This legislation offers students simplicity and predictability as they prepare to pay for college.

The American people deserve the clarity, certainty, and protection guaranteed by this legislation. I urge a ''yes'' vote.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 30 seconds.

I would not want the Members of this House to believe that somehow this bill that we're going to vote on in a few minutes is the same as the Republican bill. This bill saves $25 billion for those students over the next 5 years. The Republican bill that was voted on in this House costs those students a billion dollars. So there's a big difference. As I say, it was well worth the wait.

So let's understand very clearly. The Members of this House are getting a better deal with this legislation if they vote ''yes'' on this bill, both sides of the aisle.

I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I, too, rise in support of the Student Loan Certainty Act and again want to emphasize the fact that, compared to the product that came out of this Chamber on May 23 that the majority passed on a partisan, party-line vote, on which the White House issued a veto threat, the final bill that's before us here today is a far superior piece of legislation that protects students.

Again, as Mr. MILLER said, the numbers don't lie. The bill that the Republicans passed on May 23 had a 4.3 percent interest rate, which was a teaser rate. The bill that's being passed here today is 3.86 percent, and over time, that nets about $5,000 of additional savings for students. That's real money, and that certainly is something that's worth the wait.

But what I want to point out is that there is actually, in my opinion, a more fundamental difference which is so critical for borrowers, which is that this piece of legislation will fix the rate at time of origination. In other words, when students take on these 10-year notes, which is what Stafford student loans are, the rate is fixed at the time the note is written.

The bill that came out on May 23 was a floating variable rate product which would not be set until the time that students commenced payment. Some students take Stafford loans out over a period of 5 and 6 years, so the rates that they were touting back on May 23 were an illusion. They were not what the rate was that the student actually was going to be paying.

And again, for this country, which went through the trauma of the subprime mortgage variable rate fiasco, this is a critical difference which provides greater protection for the borrower.

If you go online today, a 30-year mortgage for a house is about 4 percent, for an auto loan it's about 3.8 percent. They are fixed loans if you took those loans out today. And that's exactly what this compromise creates is that there will be real borrower certainty and protection, unlike the bill that recklessly, and on a partisan, party-line basis, flew out of this Chamber on May 23.

This is a better deal for America's students. It's why, again, the process that we went through was worth it. And again, it's certainly worth people's support.

At the end of the day, though, let's remember, students are still paying

into the deficit of this country. The Congressional Budget Office has told us over 10 years, $184 billion of revenue is going to be generated through this program towards the deficit.

We need to change that. That's not the purpose of the Stafford student loan program. When Senator Stafford from Vermont passed it many years ago, it was about providing an affordable system of access for higher education, not a cash windfall for the coffers of the government.

And that's why we have more work to do. That's why we need to pass a Higher Education Authorization Act which, again, balances these priorities in the right direction for students, not for government coffers. And again, this legislation gives us the time to address that issue and come out with an even better program for students which, again, is good for them and good for our country, to make sure that we have a workforce which is ready for the challenges of the future.

□ 1630

Mr. KLINE. Mr. Speaker, I yield 2 minutes to a member of the committee, the gentleman from Nevada, Dr. HECK.

Mr. HECK of Nevada. Mr. Speaker, I rise in strong support of the Bipartisan Student Loan Certainty Act of 2013.

As the first in my family to go to college—and as a parent—I fully understand the value of a high-quality education and the opportunities it provides. I also know that accessing higher education is not cheap. I just started paying back the student loans of my daughter. I'm still paying back my student loans for medical school.

Throughout Nevada, many new high school graduates are preparing to head to college this fall. Without this bipartisan compromise, originally proposed by the House Committee on Education and the Workforce and based largely on the President's own proposal, students face significant uncertainty over their student loans. This legislation provides a permanent, market-based solution that gives students and taxpayers the certainty they need and deserve. Additionally, by ensuring the interest rates are set by the market, rather than legislators, this bill rightly takes politics out of the student loan discussion.

While we must continue our work to address the skyrocketing costs of higher education—because the much greater issue is the total indebtedness upon graduation—this bill is an important step in addressing the near-term needs of students.

I strongly support H.R. 1911 and urge the passage of this important bill to help not only Nevada students, but students throughout our Nation.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentleman for yielding.

I rise today in support of the underlying legislation. Although this compromise is far from perfect, it is a step that must be taken in order to provide financial relief to American students and their families.

This legislation will bring undergraduate interest rates back under 4 percent for the upcoming academic year—a far more sustainable and appropriate level than the current 6.8 percent rates. Graduate students and parents will also benefit from lowered interest rates within this bill. Importantly, and in contrast to the bill that previously passed the House, the legislation also locks in those interest rates for the lifetime of each annually disbursed loan, providing student borrowers with critical consumer protections and a measure of predictability. Finally, this compromise provides interest rate caps for all student loans, offering an essential safety net to protect students and their families from the whims of market-based rates.

While this isn't a bill that I would have written, we must all recognize the urgency of our current situation and pass it today. Classes are starting at many institutions within just a few weeks. Students around the country are signing master promissory notes even as we speak, committing themselves to years of debt and loan repayments in order to make an investment in their future. At the very least, this Congress has the responsibility to momentarily end the political gridlock that paralyzes our Nation and notify these hardworking student what their interest rates will be.

However, let's not think for one second that our work on college access and affordability is now complete. With the Congressional Budget Office projecting interest rates of 10-year Treasury notes—the baseline that determines student interest rates—to rise significantly over the next 5 years, we must work proactively and cooperatively to assure affordable student interest rates not only for present students but future students as well.

American student loan debt stands at $1.1 trillion. And it continues to rise. The Federal Government continues to make a huge profit on student loan repayment, even as students are forced to shoulder more of the burden than ever before. Balancing our deficit on the backs of student is simply not right, especially when considering the broader economic impact of saddling students with untenable amounts of debt.

When borrowers are forced to devote huge chunks of their paychecks to student loan repayment, it means they will have less income to spend on major purchases like homes or vehicles. They are less likely to start a business. They are less likely to invest in retirement accounts or the stock market—all negative indicators that will affect our economic prosperity now and into the future.

Mr. Speaker, a college education has represented a path to the middle class for millions of American families. Taking direct action to bring down the cost of a college degree by lowering student loan interest rates is a step in the right direction. I urge my colleagues to support this bill.

Mr. KLINE. I yield 2 minutes to another member of the committee, the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Thank you, Mr. Chairman, for yielding.

Mr. Speaker, as an original cosponsor of H.R. 1911, the Bipartisan Student Loan Certainty Act, I rise in support of the Senate amendment to H.R. 1911.

President Obama, as part of his budget request, proposed returning student loan interest rates to a system of market-based variable rates tagged to the 10-year Treasury note.

As a member of the Education and Workforce Committee, I can attest the committee staff and members worked in good faith to meet the President's request, developing a bill that could pass the House and promote certainty for student borrowers. The House moved to pass the bill in May, reasserting that access to education for so many of America's young people should not be subject to annual political battles. Unfortunately, the Senate chose politics over students and delayed passage of the legislation until last week.

The positive is that H.R. 1911 is a complete departure from what had become an annual debate within Congress on how to set the rates for student loans. This measure modifies how interest rates on most Federal student loans are set, returning to a system under which interest rates are tied to market rates, but with rates fixed for the period of the loan. It would apply retroactively to any loans since July 1, when the 3.4 interest rate on Stafford loans rose to 6.8 percent.

This bill will transition the student loan system to one that is more predictable and affordable—one that protects both taxpayers and students. We have a responsibility to America's youth. We have a responsibility to the students such as those seeking opportunities at Penn State, Pitt, Lock Haven, Clarion, Edinboro, Juniata, Dubois Business College, and South Hills. We have to put forward a long-term plan for college affordability. This bill is a good first step and will offer students the lowest possible rate for higher education while ensuring the solvency of these important loan programs.

I urge my colleagues to support this commonsense, bipartisan legislation.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. I'm very pleased that finally we are taking action on the pressing issue of college affordability for constituents of mine across Colorado and Americans across our country.

Absent congressional action, the current law today has effectively doubled

the interest rate that our neediest families pay to be able to borrow money for afford college to 6.8 percent. I believe that the previous bill that passed the House was better than the doubling to 6.8 percent. It would save families money in the short- and medium-term while Congress worked through a final solution. But I'm very proud to say here today that this bill is far better. And I encourage my colleagues on both sides of the aisle to support this bill, which has several features that are strong improvements over the original House-passed version, including a fixed interest rate for the life of the loan so that our students are not beholden to the fluctuations of the market when they can least afford it—after they graduate.

This bill would keep interest rates low for our neediest students and their families, providing some certainty and some surety. Under this bill, the typical undergraduate student borrower this year will save $1,500 over the life of a loan. A graduate student will save over $3,000.

This bill is a step towards making sure that our student loan system is not subject to the whims of Washington every week, with arbitrary expirations and control over the interest rate. We have to make sure that our students are able to plan their futures.

This bill is but the first step in the much-needed reforms that we need as we reauthorize the Higher Education Act. I encourage all of my colleagues to support this bill to keep college affordable now, and I hope that my colleagues will be able to consider Representative PETRI's and my H.R. 1716 bill as we look towards long-term solutions.

The ExCEL Act, H.R. 1716, would replace this complicated array of loans, subsidies, deferments, forbearances, and repayment options with a single loan repaid through simplified and improved income-based repayment. One of our goals is to protect our neediest Americans. Income-based repayment is a better tool than interest subsidies. While interest subsidies are based on a student's family income before school, income-based repayment ensures that students are protected when they truly need it—when they graduate from school, if they go through tough times, or if they're in a service-related profession. Under the ExCEL Act, we include strong borrower protections so our neediest students after graduation will be paying effectively a zero percent rate for the balance of their payments.

We need to pass this bill now and send it to President Obama to prevent our students this fall from paying 6.8 percent. I hope we can continue the discussion and dialogue about thoughtful student loan reform proposals like the ExCEL Act that address keeping college affordable for American families.

I am so grateful the Democrats and Republicans have come together to, hopefully, pass a bill here today that will be able to be brought to President Obama for his signature to provide some commonsense and predictability by lowering the student loan interest rates from 6.8 percent, which they are under statute today, and putting us on a path toward fiscal sustainability.

I urge my colleagues to support this bill.

Mr. KLINE. Mr. Speaker, can I inquire as to how much time is remaining on each side?

The SPEAKER pro tempore (Mr. HULTGREN). The gentleman from Minnesota (Mr. KLINE) has 10½ minutes remaining. The gentleman from California (Mr. GEORGE MILLER) has 7 minutes remaining.

Mr. KLINE. Thank you, Mr. Speaker.

I yield 3 minutes to another member of the committee, the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Speaker, I rise today in support of the Smarter Solutions for Students Act, also known as the Bipartisan Student Loan Certainty Act. I commend Chairman KLINE; our Education Subcommittee chairwoman, Ms. FOXX; Ranking Member MILLER; and others for their hard work and diligence throughout this process of getting this bill where it is today.

I am pleased that cooler heads have prevailed and Senate Democrats finally have agreed to the commonsense solutions proposed months ago by House Republicans and the President in his budget to stop interest rates on student loans from doubling. This is a good deal for 11 million students. The rates are better in this agreement. Students will save an estimated $1,500 in interest over the life of their college loans as a result.

Those beneficiaries include more than 200,000 students in Indiana alone, who will be taking out their student loans this year. It will help young people like John Houston, a Ball State University student and intern in my office this summer, who will be taking out student loans as he heads back to school this fall. Getting Congress out of the business of randomly setting interest rates is a good deal—both for students like John and taxpayers.

The bill will allow students to benefit from lower interest rates and prevent taxpayers from being forced to subsidize arbitrary rates set by politicians for political reasons rather than for policy purposes. Maybe most importantly, Mr. Speaker, this legislation shows that, even in a challenging partisan environment, Congress can come together and work on behalf of the American people to make their lives a little easier. I hope this agreement builds momentum for reaching bipartisan solutions to other problems that our Nation faces.

I urge my colleagues to support this measure.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. I'm just delighted to be able to say that the leadership of the Senate realized that the Republican bill would have overwhelmed our young people.

I was just talking to someone just a few minutes ago, and they were saying we need to have a commitment that every person that graduates from college has a job. We should also have a commitment that every young person that wants to go to school and get a higher education should not be burdened with hundreds of thousands of dollars of debt.

For over 2 years, our good friend, Mr. COURTNEY from Connecticut, Democrats, the Education Committee, and Mr. MILLER have been begging on behalf of the American children to not cause them to pay this enormous amount but to hold the interest rates for middle class families and working families at 3.4 percent. And we struggled. There were many discussions in the United States Senate. And the reason why they continue to struggle is because they wanted to make sure that the victory came out for those young people of working parents and middle class parents. That's why we're here today—because they held out and we held out. Now we're glad to be in a bipartisan mode. But it's important to note that this was a struggle.

If we pass this bill and get it on the President's desk, the 3.6 percent or so will be held. As we go forward over the years, we'll have a measured increase. Not a high increase to market rates or rates higher than that, but a measured increase or 3, 4, or 6 percent. And then some 5 years out, when it reaches about 7 percent, we'll have the ability as a Congress to come back and look. Because we should not burden our students to the point where they cannot get an education.

We all are created equal. Maybe education is not written in the Constitution, but certainly the opportunity for the pursuit of happiness. Therefore, the opportunity for education must be protected.

This is a crucial difference between the bipartisan Senate bill of $11,000. The current law right now is $14,000. And what the House Republican bill passed was almost $17,000.

Mr. Speaker, this is a relief. This is to be applauded. And I'm delighted that we have finally come to our senses.

Today the House of Representatives will have a second chance to get Student Loans right. This is an opportunity to relieve the fears and anxiety of families of college bound students across the nation by passing H.R. 1911—the Bipartisan Student Loan Certainty Act of 2013. By passing this legislation the Congress can take a concrete step toward restoring the economic security, educational opportunities, and peace of mind of America's students.

The goal of our nation should be to educate our youth to reach their greatest potential in life. A good education should be accessible and affordable to all of your young people.

For too long, millions of America's best and brightest have been waiting for Congress to find a responsible solution to rising student loan interest rates. While House Republicans have insisted on saddling students with even more debt, the bipartisan legislation we passed today seeks to ease that burden.

This bipartisan compromise offers hard-working students and families critical protections, reduces rates on all new loans this year, and saves undergraduates $1,500 on average over the life of their loans.

The plan caps market-based interest rates, ensuring students won't bear the brunt of sky-rocketing rates in the future. While the House Republican bill considered earlier this year only offered uncertainty, insecurity, and more debt for our students, the Senate compromise that we are considering today will restore a sense of security for nearly 11 million Americans who are seeking a better life through higher education.

The passage of the College Cost Reduction and Access Act of 2007, Congress made historic investments in student aid. The law did what Congress should always do when considering the needs of students seeking education to improve their chances of success. This bill halved interest rates on need-based federal student loans to 3.4 percent—making these loans more affordable for low- and middle-income students. If Congress doesn't act before July, the rate will jump back up to 6.8 percent, making it much more difficult for many American students and their families to afford a college education.

I represent colleges and universities in my District who serve the higher education needs of tens of thousands of Houstonians and others who come to our city for its education opportunities.

A college education should not be only for the lucky few, but should be available to all of those with skill and determination. Given the opportunity, millions of young and older Americans would access higher education to provide their families with a more certain financial future, while also strengthening our nation's economic and national defense human capital. A college degree is also becoming essential to a growing number of jobs in the 21st century economy.

STEM EDUCATION STATISTICS

STEM workers earn 26 percent more than non-STEM graduates.

By 2018 we will need: 710,000 Computing workers, 160,000 Engineers, 70,000 Physical Scientists, 40,000 Life Science workers, and 20,000 Mathematics workers.

STEM Computing Jobs are critical to America's future: Software engineers, Computer networking workers, Systems analysis, and Computer researcher or support workers.

College student STEM retention according to the President's report is improved when students have the proper peer and instructor support system, which is what Superintendent Dr. Soner Tarim has done at each of the area's 17 Harmony Schools.

By providing access to an affordable education we are eliminating the shortage in two ways by: (1) creating opportunities for Americans to prepare for STEM careers, and (2) by welcoming those from other countries who choose to study and remain in the United States to work.

According to the Association for Computing Machinery K–12 computer science education as a component of STEM education would help students have a deeper understanding of the fundamentals of computing, which is a critical foundational knowledge for a wide range of education needs for other STEM education programs and future jobs.

We know that fewer than 40 percent of new college students enter College intending to get a STEM related degree. This is not good enough for America—we need to do much better.

By making college more affordable and accessible we could increase the retention of the STEM degree majors from 40 percent to 50 percent, if we reach this goal the nation can meet three fourths of the 1 million STEM workers we will need.

Minority college students who major in STEM higher education make 25 percent more than minority graduates with non-STEM educations. Minority students who take STEM jobs make 50 percent more than minority non-STEM graduates.

Students and families cannot wait any longer to know how much they will owe on their student loans in the coming academic year. Making college more affordable is critical to sustaining America's economic competiveness. Business leaders know it is vital for the workforce of tomorrow to get an education beyond high school. If more of today's students cannot afford college, businesses will not have the workers with the education and training they need to keep our economy competitive and dynamic far into the future.

I urge my colleagues in joining me in support of this Student Loan legislation.

PROJECTED INTEREST RATES UNDER SENATE BIPARTISAN AGREEMENT

Below are the projected interest rates under the bipartisan Senate agreement for 2013–2023:

Year	Undergraduate students (subsidized and unsubsidized Stafford loans)	Graduate students	Parent loans for undergraduate students (PLUS)
2013	3.86	5.41	6.41
2014	4.62	6.17	7.17
2015	5.4	6.95	7.95
2016	6.29	7.84	8.84
2017	7	8.55	9.55
2018	7.25	8.8	9.8
2019	7.25	8.8	9.8
2020	7.25	8.8	9.8
2021	7.25	8.8	9.8
2022	7.25	8.8	9.8
2023	7.25	8.8	9.8
Caps	8.25%	9.50%	10.50%

Note: Rates fixed through repayment once borrowed. Rates are based on CBO projections of 10-year Treasury rates.

Mr. KLINE. Mr. Speaker, I have no other speakers, and I'm prepared to close.

Mr. GEORGE MILLER of California. I have no further speakers.

Mr. Speaker, in closing, I want to thank the chair of the committee for bringing this bill to the floor as soon as it was possible to do, but certainly before we break for August.

This legislation, as I said earlier, is a vast improvement over what we voted on before and what was presented to this House. I think families all across the country with students heading off to college or returning to college this fall will be happy to know that as they take out a student loan this year, they will save over the next 5 years some $25 billion because those loans that they take out will have that interest rate guaranteed at that rate today and for the life of that loan.

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Big distinction between this bill and the bill that was presented for the House to vote on, which many of us rejected but the Republicans supported and was passed to the Senate. Over the next 10 years, it provides about $4 billion in additional relief.

What's important to know is that this will deal with making college more affordable. But, clearly, what is on the agenda of the Education and Workforce Committee is making sure that we're dealing with the cost of college so that we can reduce the student debt in this country, we can reduce the affordability of college in this country.

We expect that as we struggle to try to figure out how to provide this loan money on behalf of the taxpayers to these students who are the future of our economy, the future of our society, that the institutions will struggle with seeing what they can do to lower the cost of these colleges.

This is a very exciting time in post-secondary education because we have opportunities now with technologies and the ability to present classes in new formats, in new forums for students much differently than in the past. We've got to make sure that we're providing that quality education, but perhaps in a way that's more cost efficient. And efficiency isn't the enemy of intellectual curiosity or intellectual achievement or scholastic achievement, but it may be helpful to

those families who are struggling with a debt to provide one, two, or three children a college education, or for those students who graduated who are struggling with that debt as they enter the job market.

So we really want to say that we've done the best we can under these circumstances with this legislation, but we expect the institutions of higher education all across this country to reexamine how they're doing their business and what they can do to reduce the cost of college. And we'll continue to do our part, trying to make it more affordable for the American family.

But in the past, we've seen where we put money in at the top and the States took the money out at the bottom. We're not going to play that game anymore, and we can't play that game anymore. That has ended up with a lot of increased debt on the part of students. Certainly with respect to the public institutions, the States have to step up and share the responsibility for their public institutions. We cannot have this situation where they continue to decline their support and then foster that off on parents and students, and then the parents and students need help from the Federal Government. That chain has got to stop here.

But I think today, this is a big and important step in terms of the affordability of college for students. And all of the indicators are that that college degree is well worth it over the lifetime of work of students, over the types of jobs that they will get, the types of wages that they will receive. It's still a huge benefit. There has been a lot of discussion over the last few months that maybe college isn't worth it anymore. It is, but we have to do it right. And young people have to be able to obtain that college education, and they have to do it with the least amount of debt possible.

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

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

It's always interesting to listen to the debate here on the floor. No matter how hard we try to use the word ''bipartisan,'' we get into these partisan squabbles: the Republican bill was bad and this bill is good, and that bill is—look, we needed to change the status quo, and that's always hard to do.

We had some pretty simple goals here that we were trying to reach. We wanted to get out of the partisan political squabble that was occurring in this city every year as we tried to figure out, through some alchemy, what the student loan interest rate ought to be. The answer has been in front of us for a long time: the market is the best determiner of that.

So we wanted to put together legislation that would get us out of this political squabble, let the market do this in a way that was fair to students and fair to taxpayers. Let the market do it based on the 10-year Treasury, which is the best indicator of what it costs the Federal Government to borrow money; do it so that it was as close to budget neutral as we could get it.

The President of the United States had a proposal that did those things. At the end of 10 years, I think the President's budget saved the taxpayer about $3 billion. The House bill that we've been discussing saved the taxpayers about $3.5 billion, And this bipartisan Senate bill, just under $1 billion saved. That's budget neutral in this city, in a 10-year window, from the Congressional Budget Office. We're trying to get that.

It was a bizarre circumstance, Mr. Speaker, that I and House Republicans were working with the White House and the Department of Education trying to convince our Senate colleagues, Senate Democratic leadership that the answer was there in front of them, all they had to do was pick it up and pass it. We can get it done in this House. We can answer the questions of parents and students and put some certainty in this. I am very, very pleased that the Senate was able to put together that bipartisan—

Mr. GEORGE MILLER of California. Will the gentleman yield?

Mr. KLINE. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. I didn't mean to interrupt. I thought you were going to yield back your time. I just wanted to ask you for 30 seconds. I thank the gentleman for yielding.

We have these differences at the Member level and the institutional level.

I just forgot, before I sat down, to thank the staffs of both sides of our committee for their professional work. Because whatever's going on on the surface here and surface warfare, we know that, underneath, the staff is trying to make it work out whatever direction we decide to move in. So I just want to thank so much the staff both of the majority and minority side for their help.

Mr. KLINE. I thank the gentleman.

Reclaiming my time, I will pick up on that note because we could not have done this without the hard work of some really instrumental people.

Certainly, I'd like to take a moment to recognize and thank the committee staff, as my colleague has done, for their hard work on this important issue, both sides of the aisle.

First, I would like to thank the majority staff director, Juliane Sullivan; our education policy director, James Bergeron; and professional staff member Brian Melnyk; and of course Amy Jones, sitting next to me here today, who started working to solve this problem more than a year ago. That's the frustrating thing here, Mr. Speaker. This problem didn't arise in April or May. We've known for more than a year, with certainty, that we had to address this issue. So I thank Amy for her passion in all higher education work. I know she's just resting up so that we can start into reauthorization of the Higher Education Act as we go forward.

Certainly I'd like to thank VIRGINIA FOXX, the chairman of the Subcommittee on Higher Education and Workforce Training, who helped craft the Smarter Solutions for Students Act. Again, I would remind my colleagues, this was a bipartisan bill. It came out of the committee bipartisan, came off the floor with a bipartisan vote, and Ms. FOXX deserves a lot of credit for her hard work.

In closing, I remind my colleagues, the legislation before us today is a victory for students, families, and taxpayers. It deserves our robust support.

I urge my colleagues to vote ''yes'' on the bipartisan Student Loan Certainty Act, and I yield back the balance of my time.

Mr. DEFAZIO. Mr. Speaker, today I will vote for H.R. 1911, the Bipartisan Student Loan Certainty Act of 2013. Due to congressional inaction student loan rates doubled to 6.8% on July 1st. This is not the bill I would've written but it was necessary to come to an agreement so that today's students don't see their interest rates double. It would have been my preference to pass the legislation introduced by Senator ELIZABETH WARREN that gives students the same low interest rates that the Federal Reserve grants Wall Street banks.

With passage of H.R. 1911, this year's students will only pay a 3.8% interest rate when they go back to school in the fall. This rate will be locked in for the entire life of their loan. Although the interest rates will likely increase for future students under this bill, they should remain below the current 6.8% for the next few years. This is a short term solution to the long term problem of rising college costs and increasing student debt. I stand ready to work with my colleagues to address the issue of college affordability including student loan interest rates in the upcoming reauthorization of the Higher Education Act.

Mrs. MCCARTHY of New York. Mr. Speaker, as you may know, on July 1st the rate for subsidized Stafford student loans doubled from 3.4% to 6.8%. Today, students already face over $1 trillion in student loan debt nationally and any effort to further indebt hardworking students and families would be disgraceful. This Congress needs to act in a responsible fashion in order to help alleviate the cost prohibitive status of higher education in this country. Today, I am pleased to say that this Congress has acted to help students and families by putting forward H.R. 1911, the Bipartisan Student Loan Certainty Act of 2013, legislation that I am proud to support.

Unlike the proposals floated earlier this Congress by the House majority, this bill offers students and families a reasonable way to finance higher education. As opposed to rates that fluctuate throughout the life of the loan, H.R. 1911 allows for a variable rate for new borrowers that adjusts yearly but is fixed for the life of the loan once borrowed. Further, the bill offers lower interest rates for undergraduate borrowers of subsidized and unsubsidized Stafford loans by pairing them to the 10 yr Treasury (T) bill + 2.05% as opposed to the 10 yr T bill + 2.5% in the original House majority proposal. Lastly, the bill offers interest rate caps for borrowers to ensure that interest

rates do not soar to undesirable levels in the years to come.

If this bill is signed into law, rates on new subsidized Stafford and PLUS loans will go down this year. Undergraduates would borrow at 3.86%, a cut from 6.8%, graduate students would borrow Stafford loans at 5.4%, a cut from 6.8% and parents and graduates borrowing PLUS loans would borrow at 6.4%, a cut from 7.9%. For a freshman undergraduate beginning school this year and taking out the maximum amount of loans, he/she will save $3,300 in interest payments over their college career as compared to current law and undergraduate students would save $25 billion in debt relief, according to CBO projections, over the next five years as compared to current law. While this bill represents a significant improvement for students, I do have reservations that the undergraduate interest rate cap, currently set at 8.25%, is too high. While it is widely believed that students will enjoy low rates in the short-term, there is a strong possibility that rates will skyrocket as our national economy improves. I believe that, for undergraduates, a lower cap should be considered and I would welcome its continued review by this Congress in the years to come.

Overall, Mr. Speaker, this is a good bill that will give students and families alike significant financial relief and stability in the years to come.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to express my opposition to the Motion to Concur in the Senate Amendment to H.R. 1911, the Smarter Solutions for Students Act.

This bill returns federal student loans to a system of market-based variable rates, an imprudent policy that seeks profits for deficit reduction at the expense of students struggling with the substantial and climbing cost of post-secondary education.

While the bill may appear to reverse the interest rate hike that occurred on July 1, setting rates at 3.8 percent for this year and 4.6 percent for next year for undergraduate Stafford student loan borrowers, it is essentially a bait and switch that will pile extra debt onto students when the current record-low rates inevitably rise.

This is unacceptable. Student loan debt is a major drag on the American economy, reaching $1 trillion and climbing, and recently surpassing credit card debt as the largest form of consumer debt. Approximately 60 percent of students take out loans to attend college, and increasing the costs of borrowing will prevent millions from being able to pursue higher education.

While the interest rate caps are a step in the right direction, they are too high to meaningfully protect students when the temporarily low rates give way to rates that are even higher than the 6.8 percent rate this bill attempts to fix.

College educated students are the future engine of our country, and anyone who wants to pursue a post-secondary education should have the opportunity to do so without going into crushing debt. I urge my colleagues to vote against this legislation and instead, extend the current interest rate of 3.4 percent until Congress enacts a true long-term solution to the cost of college that is worthy of our Nation's young people.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1911.

The question was taken.

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

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

NUCLEAR IRAN PREVENTION ACT OF 2013

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 850) to impose additional human rights and economic and financial sanctions with respect to Iran, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 850

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 ''Nuclear Iran Prevention Act of 2013''.

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

Sec. 1. Short title and table of contents.
Sec. 2. Findings and statement of policy.

TITLE I—HUMAN RIGHTS AND TERRORISM SANCTIONS

Sec. 101. Mandatory sanctions with respect to financial institutions that engage in certain transactions on behalf of persons involved in human rights abuses or that export sensitive technology to Iran.
Sec. 102. Prevention of diversion of certain goods, services and technologies to Iran.
Sec. 103. Designation of Iran's Revolutionary Guard Corps as foreign terrorist organization.
Sec. 104. Imposition of sanctions on certain persons responsible for or complicit in human rights abuses, engaging in censorship, or engaging in the diversion of goods intended for the people of Iran.
Sec. 105. Sense of Congress on elections in Iran.
Sec. 106. Sense of Congress on designation of a Special Coordinator for advancing human rights and political participation for women in Iran.

TITLE II—ECONOMIC AND FINANCIAL SANCTIONS

Subtitle A—Amendments to Iran Sanctions Act of 1996

Sec. 201. Transfer to Iran of goods, services, or technology that would materially contribute to Iran's ability to mine or mill uranium.
Sec. 202. Repeal of waiver of sanctions relating to development of weapons of mass destruction or other military capabilities.

Subtitle B—Amendments to Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 and Iran Threat Reduction and Syria Human Rights Act of 2012

Sec. 211. Modifications to prohibition on procurement contracts with persons that export sensitive technology to Iran.
Sec. 212. Authority of State and local governments to avoid exposure to sanctioned persons and sectors.
Sec. 213. Sense of Congress regarding the European Central Bank.
Sec. 214. Imposition of sanctions with respect to certain transactions in foreign currencies.
Sec. 215. Sanctions with respect to certain transactions with Iran.

Subtitle C—Other Matters

Sec. 221. Imposition of sanctions with respect to the Central Bank of Iran and other Iranian financial institutions.
Sec. 222. Imposition of sanctions with respect to ports, special economic zones, free economic zones, and strategic sectors of Iran.
Sec. 223. Report on determinations not to impose sanctions on persons who allegedly sell, supply, or transfer precious metals to or from Iran.
Sec. 224. Imposition of sanctions with respect to foreign financial institutions that facilitate financial transactions on behalf of persons owned or controlled by specially designated nationals.
Sec. 225. Repeal of exemptions under sanctions provisions of National Defense Authorization Act for Fiscal Year 2013.
Sec. 226. Termination of government contracts with persons who sell goods, services, or technology to, or conduct any other transaction with, Iran.
Sec. 227. Conditions for entry and operation of vessels.

TITLE III—ADDITIONAL AUTHORITIES TO PREVENT CENSORSHIP ACTIVITIES IN IRAN

Sec. 301. Report on implementation of sanctions against the Islamic Republic of Iran Broadcasting.
Sec. 302. List of persons who are high-risk re-exporters of sensitive technologies.
Sec. 303. Sense of Congress on provision of intercept technologies to Iran.
Sec. 304. Sense of Congress on availability of consumer communication technologies in Iran.
Sec. 305. Expedited consideration of requests for authorization of transfer of goods and services to Iran to facilitate the ability of Iranian persons to freely communicate.

TITLE IV—REPORTS AND OTHER MATTERS

Sec. 401. National Strategy on Iran.
Sec. 402. Report on Iranian nuclear and economic capabilities.
Sec. 403. Report on plausibility of expanding sanctions on Iranian oil.
Sec. 404. GAO report on Iranian strategy to evade current sanctions and other matters.
Sec. 405. Authority to consolidate reports required under Iran sanctions laws.
Sec. 406. Amendments to definitions under Iran Sanctions Act of 1996 and Iran Threat Reduction and Syria Human Rights Act of 2012.

Sec. 407. Rule of construction.
Sec. 408. Implementation; penalties.
Sec. 409. Severability.

SEC. 2. FINDINGS AND STATEMENT OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Iran's acquisition of a nuclear weapons capability would—

(A) embolden its already aggressive foreign policy, including its arming of terrorist organizations and other groups, its efforts to destabilize countries in the Middle East, and its efforts to target the United States, United States allies, and United States interests globally;

(B) increase the risk that Iran would share its nuclear technology and expertise with extremist groups and rogue nations;

(C) destabilize global energy markets, posing a direct and devastating threat to the American and global economy; and

(D) likely lead other governments in the region to pursue their own nuclear weapons programs, increasing the prospect of nuclear proliferation throughout the region and effectively ending the viability of the global nonproliferation regime, including the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force on March 5, 1970.

(2) A nuclear arms-capable Iran possessing intercontinental ballistic missiles, a development most experts expect could occur within a decade, would pose a direct nuclear threat to the United States.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States to prevent Iran from acquiring a nuclear weapons capability.

TITLE I—HUMAN RIGHTS AND TERRORISM SANCTIONS

SEC. 101. MANDATORY SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS THAT ENGAGE IN CERTAIN TRANSACTIONS ON BEHALF OF PERSONS INVOLVED IN HUMAN RIGHTS ABUSES OR THAT EXPORT SENSITIVE TECHNOLOGY TO IRAN.

(a) IN GENERAL.—Section 104(c)(2) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(c)(2)) is amended—

(1) in subparagraph (D), by striking ''or'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(F) facilitates a significant transaction or transactions or provides significant financial services for—

''(i) a person that is subject to sanctions under section 105(c), 105A(c), 105B(c), or 105C(a); or

''(ii) a person that exports sensitive technology to Iran and is subject to the prohibition on procurement contracts as described in section 106.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to any activity described in subparagraph (F) of section 104(c)(2) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (as added by subsection (a)(3) of this section) initiated on or after the date that is 90 days after such date of enactment.

(c) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to carry out the amendments made by subsection (a).

SEC. 102. PREVENTION OF DIVERSION OF CERTAIN GOODS, SERVICES AND TECHNOLOGIES TO IRAN.

(a) DEFINITIONS.—Section 301(1) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541(1)) is amended by striking ''knows or has reason to know'' and inserting ''knows, has reason to know, or should have known''.

(b) IDENTIFICATION OF COUNTRIES OF CONCERN WITH RESPECT TO THE DIVERSION OF CERTAIN GOODS, SERVICES, AND TECHNOLOGIES TO OR THROUGH IRAN.—Section 302(b) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8542(b)) is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) that are—

''(A) items described in the Nuclear Suppliers Group Guidelines for the Export of Nuclear Material, Equipment and Technology (published by the International Atomic Energy Agency as Information Circular INFCIRC/254/Rev. 3/Part 1, and subsequent revisions) and Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Material, and Related Technology (published by the International Atomic Energy Agency as Information Circular INFCIRC/254/Rev. 3/Part 2, and subsequent revisions);

''(B) items on the Missile Technology Control Regime Equipment and Technology Annex of June 11, 1996, and subsequent revisions;

''(C) items and substances relating to biological and chemical weapons the export of which is controlled by the Australia Group;

''(D) items on the Schedule One or Schedule Two list of toxic chemicals and precursors the export of which is controlled pursuant to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; or

''(E) items on the Wassenaar Arrangement list of Dual Use Goods and Technologies and Munitions list of July 12, 1996, and subsequent revisions.''.

(c) DESTINATIONS OF DIVERSION CONCERN.—Section 303(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8543(c)) is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than''; and

(2) by adding at the end the following new paragraph:

''(2) ADDITIONAL MEASURES.—

''(A) IN GENERAL.—Except as provided in this section, the President may impose restrictions on United States foreign assistance or measures authorized under the International Emergency Economic Powers Act with respect to a country designated as a country of diversion concern if the President determines such restrictions or measures would prevent the transfer of United States-origin goods, services, and technology to Iran.

''(B) EXCEPTION.—The authority to impose sanctions under subparagraph (A) shall not include the authority to impose sanctions relating to the importation of goods.

''(C) GOOD DEFINED.—In this paragraph, the term 'good' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to countries identified in any update to the report that is required under section 302(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 and submitted to Congress on or after such date of enactment.

SEC. 103. DESIGNATION OF IRAN'S REVOLUTIONARY GUARD CORPS AS FOREIGN TERRORIST ORGANIZATION.

(a) IN GENERAL.—Subtitle A of title III of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8741 et seq.) is amended—

(1) by redesignating section 304 as section 305; and

(2) by inserting after section 303 the following new section:

''SEC. 304. DESIGNATION OF IRAN'S REVOLUTIONARY GUARD CORPS AS FOREIGN TERRORIST ORGANIZATION.

''(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this section, the Secretary of State shall determine if Iran's Revolutionary Guard Corps meets the criteria for designation as a foreign terrorist organization as set forth in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

''(b) AFFIRMATIVE DETERMINATION.—If the Secretary of State determines under subsection (a) that Iran's Revolutionary Guard Corps meets the criteria set forth under such section 219, the Secretary shall designate Iran's Revolutionary Guard Corps as a foreign terrorist organization under such section 219.

''(c) NEGATIVE DETERMINATION.—

''(1) IN GENERAL.—If the Secretary of State determines under subsection (a) that Iran's Revolutionary Guard Corps does not meet the criteria set forth under such section 219, the Secretary shall submit to the committees of Congress specified in subsection (e) a report that contains a detailed justification as to which criteria have not been met.

''(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex, if necessary.

''(d) APPLICABILITY OF SANCTIONS TO QUDS FORCE.—The sanctions applied to any entity designated as a foreign terrorist organization as set forth in such section 219 shall be applied to the Iran's Revolutionary Guard Corps Quds Force.

''(e) COMMITTEES OF CONGRESS SPECIFIED.—The committees of Congress specified in this subsection are the following:

''(1) The Committee on Foreign Affairs, the Committee on the Judiciary, and the Committee on Homeland Security of the House of Representatives.

''(2) The Committee on Foreign Relations, the Committee on the Judiciary, and the Committee on Homeland Security and Governmental Affairs of the Senate.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by striking the item relating to section 304 and inserting the following:

''Sec. 304. Designation of Iran's Revolutionary Guard Corps as foreign terrorist organization.
''Sec. 305. Rule of construction.''.

SEC. 104. IMPOSITION OF SANCTIONS ON CERTAIN PERSONS RESPONSIBLE FOR OR COMPLICIT IN HUMAN RIGHTS ABUSES, ENGAGING IN CENSORSHIP, OR ENGAGING IN THE DIVERSION OF GOODS INTENDED FOR THE PEOPLE OF IRAN.

(a) FINDING AND SENSE OF CONGRESS.—Section 401(a) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112–158; 126 Stat. 1251) is amended to read as follows:

''(a) FINDING AND SENSE OF CONGRESS.—

''(1) FINDING.—Congress finds that Iranian persons holding the following positions in the Government of Iran are ultimately responsible for and have and continue to knowingly order, control, direct and implement

gross violations of the human rights of the Iranian people, the human rights of persons in other countries, censorship, and the diversion of food, medicine, medical devices, agricultural commodities and other goods intended for the Iranian people:

''(A) The Supreme Leader of Iran.

''(B) The President of Iran.

''(C) Members of the Council of Guardians.

''(D) Members of the Expediency Council.

''(E) The Minister of Intelligence and Security.

''(F) The Commander of the Iran's Revolutionary Guard Corps.

''(G) The Commander of the Basij-e-Mostaz'afin.

''(H) The Commander of Ansar-e-Hezbollah.

''(I) The Commander of the Quds Force.

''(J) The Commander in Chief of the Police Force.

''(K) Senior officials or key employees of an organization described in any of subparagraphs (C) through (J) or in the Atomic Energy Organization of Iran, the Islamic Consultative Assembly of Iran, the Council of Ministers of Iran, the Assembly of Experts of Iran, the Ministry of Defense and Armed Forces Logistics of Iran, the Ministry of Justice of Iran, the Ministry of Interior of Iran, the prison system of Iran, or the judicial system of Iran.

''(2) SENSE OF CONGRESS.—It is the sense of Congress that—

''(A) the President should include any Iranian person holding a position in the Government of Iran described in paragraph (1) on one or more of the lists of persons subject to sanctions pursuant to section 105(b), 105A(b), 105B(b), or 105C(b) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514(b), 8514a(b), 8514b(b), or 8514c(b)); and

''(B) the President should impose sanctions on such Iranian person pursuant to section 105, 105A, 105B, or 105C of such Act (as the case may be).''.

(b) ADDITIONAL FINDING AND SENSE OF CONGRESS.—Section 401 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112–158; 126 Stat. 1251) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) ADDITIONAL FINDING AND SENSE OF CONGRESS.—

''(1) FINDING.—Congress finds that other senior officials of the Government of Iran, its agencies and instrumentalities, also have and continue to knowingly order, control, direct, and implement gross violations of the human rights of the Iranian people and the human rights of persons in other countries.

''(2) SENSE OF CONGRESS.—It is the sense of Congress that—

''(A) the President should investigate violations of human rights described in paragraph (1) to identify other senior officials of the Government of Iran that also have or continue to knowingly order, control, direct, and implement gross violations of human rights of the Iranian people and the human rights of persons in other countries;

''(B) the President should include any such official on one or more of the lists of persons subject to sanctions pursuant to section 105(b), 105A(b), 105B(b), or 105C(b) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514(b), 8514a(b), 8514b(b), or 8514c(b)); and

''(C) the President should impose sanctions on any such official pursuant to section 105, 105A, 105B, or 105C of such Act (as the case may be).''.

(c) REPORT.—Section 401(c)(1) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112–158; 126 Stat. 1251) (as redesignated by subsection (b) of this section) is amended—

(1) by striking ''Not later than'' and inserting the following:

''(A) IN GENERAL.—Not later than'';

(2) by striking ''this Act'' and inserting ''the Nuclear Iran Prevention Act of 2013, and annually thereafter for 3 years'';

(3) by striking ''otherwise directing the commission of'' and inserting ''otherwise directing—

''(i) the commission of'';

(4) by striking ''Iran.'' and inserting ''Iran;

''(ii) censorship or related activities with respect to Iran; or

''(iii) the diversion of goods, food, medicine, medical devices, and agricultural commodities, intended for the people of Iran.'';

(5) by striking ''For any such person'' and inserting the following:

''(B) REQUIREMENT RELATING TO PERSONS NOT INCLUDED.—For any such person''; and

(6) by adding at the end the following new subparagraph:

''(C) REQUIREMENT RELATING TO FINANCIAL NET WORTH.—For each such person described in subparagraph (A) and each such person described in subparagraph (B), the Secretary of State shall include in the report a description of the estimated net worth of the person.''.

(d) ADDITIONAL REPORT.—Section 401 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112–158; 126 Stat. 1251), as amended by this section, is further amended by adding at the end the following new subsection:

''(d) ADDITIONAL REPORT.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Nuclear Iran Prevention Act of 2013, and annually thereafter for 3 years, the Secretary of State shall submit to the appropriate congressional committees a detailed report with respect to whether each person described in subsection (a) or any family member of such person has facilitated deceptive transactions for or on behalf of any person subject to United States sanctions concerning Iran in violation of Executive Order 13608 of May 1, 2012 (77 Fed. Reg. 26409; 50 U.S.C. 1701 note) or any other provision of law.

''(2) FAMILY MEMBER DEFINED.—In this subsection, the term 'family member' includes, with respect to a person, any relative of such person to the third degree of consanguinity.''.

(e) CONFORMING AMENDMENT.—The heading for section 401 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112–158; 126 Stat. 1251) is amended by striking ''**COMMITTED AGAINST**'' and all that follows and inserting ''**, ENGAGING IN CENSORSHIP, OR ENGAGING IN THE DIVERSION OF GOODS INTENDED FOR THE PEOPLE OF IRAN.**''.

(f) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by striking the item relating to section 401 and inserting the following:

''Sec. 401. Imposition of sanctions on certain persons responsible for or complicit in human rights abuses, engaging in censorship, or engaging in the diversion of goods intended for the people of Iran.''.

SEC. 105. SENSE OF CONGRESS ON ELECTIONS IN IRAN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Iranian people are systematically denied free, fair, and credible elections by the Government of the Islamic Republic of Iran.

(2) The unelected and unaccountable Guardian Council disqualifies hundreds of qualified candidates, including women and most religious minorities, while the regime intimidates others into staying out of elections completely.

(3) Voting inconsistencies, including an absence of international observers, and fraud are commonplace.

(4) The 2009 presidential elections proved that the regime will engage in large scale vote-rigging to ensure a specific result.

(5) The Iranian regime combines electoral manipulation with the ruthless suppression of dissent. Following the 2009 elections, peaceful demonstrators were met with violence by the regime's security apparatus, including arbitrary detentions, beatings, kidnappings, rapes, and murders.

(6) The electoral manipulation and human rights violations are in violation of the Government of Iran's agreed to obligations under the United Nations International Covenant on Civil and Political Rights.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Iranian people are deprived by their government of free, fair, and credible elections;

(2) the United States should support freedom, human rights, civil liberties, and the rule of law in Iran, and elections that are free and fair, meet international standards, and allow independent international and domestic electoral observers unrestricted access to polling and counting stations; and

(3) the United States should support the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law.

SEC. 106. SENSE OF CONGRESS ON DESIGNATION OF A SPECIAL COORDINATOR FOR ADVANCING HUMAN RIGHTS AND POLITICAL PARTICIPATION FOR WOMEN IN IRAN.

It is the sense of Congress that the Secretary of State should designate a Special Coordinator position in the Bureau of Near Eastern Affairs whose primary function is to facilitate cooperation across departments for the purpose of advancing human rights and political participation for women in Iran, as well as to prepare evidence and information to be used in identifying Iranian officials for designation as human rights violators for their involvement in violating the human rights of women in Iran.

TITLE II—ECONOMIC AND FINANCIAL SANCTIONS

Subtitle A—Amendments to Iran Sanctions Act of 1996

SEC. 201. TRANSFER TO IRAN OF GOODS, SERVICES, OR TECHNOLOGY THAT WOULD MATERIALLY CONTRIBUTE TO IRAN'S ABILITY TO MINE OR MILL URANIUM.

(a) IN GENERAL.—Section 5(b) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by adding at the end the following new paragraph:

''(3) TRANSFER TO IRAN OF GOODS, SERVICES, OR TECHNOLOGY THAT CAN BE USED FOR MINING OR MILLING OF URANIUM.—Except as provided in subsection (f), the President shall impose 5 or more of the sanctions described in section 6(a) with respect to a person if the President determines that the person knowingly transferred, on or after the date of the enactment of the Nuclear Iran Prevention Act of 2013, to Iran goods, services, or technology that would materially contribute to Iran's ability to mine or mill uranium.''.

(b) CONFORMING AMENDMENTS.—Section 5 of such Act is amended in subsection (b)(3), (c), and (f) by striking ''paragraph (1) or (2)'' each place it appears and inserting ''paragraph (1), (2), or (3)''.

SEC. 202. REPEAL OF WAIVER OF SANCTIONS RELATING TO DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION OR OTHER MILITARY CAPABILITIES.

Section 9(c)(1) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended—

(1) by striking subparagraph (B);

(2) by redesignating subparagraph (C) as subparagraph (B); and

(3) in subparagraph (B) (as redesignated by paragraph (2) of this section)—

(A) by striking ''or (B)'' each place it appears; and

(B) by striking '', as applicable''.

Subtitle B—Amendments to Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 and Iran Threat Reduction and Syria Human Rights Act of 2012

SEC. 211. MODIFICATIONS TO PROHIBITION ON PROCUREMENT CONTRACTS WITH PERSONS THAT EXPORT SENSITIVE TECHNOLOGY TO IRAN.

(a) APPLICATION TO OWNERS AND SUBSIDIARIES.—Subsection (a) of section 106 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8515) is amended—

(1) by striking ''goods or services with a person'' and inserting the following: ''goods or services—

''(1) with a person'';

(2) in paragraph (1), as added by paragraph (1) of this subsection, by striking the period at the end and inserting and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(2) with respect to a person acting on behalf of or at the direction of, or owned or controlled by, a person described in paragraph (1) or a person who owns or controls a person described in paragraph (1).''.

(b) SENSITIVE TECHNOLOGY DEFINED.—Subsection (c)(1) of such section is amended by striking ''is to be used specifically'' and inserting ''has been designed or specifically modified''.

(c) PRESIDENTIAL DETERMINATION AND IMPOSITION OF ADDITIONAL SANCTIONS.—Such section, as so amended, is further amended by adding at the end the following new subsection:

''(e) PRESIDENTIAL DETERMINATION AND IMPOSITION OF ADDITIONAL SANCTIONS.—The President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) with respect to—

''(1) a person if the President determines that the person knowingly exports sensitive technology to Iran; or

''(2) a person acting on behalf of or at the direction of, or owned or controlled by, a person described in paragraph (1) or a person who owns or controls a person described in paragraph (1).''.

(d) CONFORMING AMENDMENT.—The heading of such section is amended by inserting ''**AND IMPOSITION OF SANCTIONS AGAINST**'' after ''**WITH**''.

(e) CLERICAL AMENDMENT.—The table of contents for the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 is amended by striking the item relating to section 106 and inserting the following:

''Sec. 106. Prohibition on procurement contracts with and imposition of sanctions against persons that export sensitive technology to Iran.''.

(f) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to exports of sensitive technology to Iran that occur on or after such date of enactment.

SEC. 212. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO AVOID EXPOSURE TO SANCTIONED PERSONS AND SECTORS.

(a) IN GENERAL.—Section 202 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8532) is amended by striking subsections (a), (b), and (c) and inserting the following:

''(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should respect the decision of any State or local government to divest from or prohibit the investment of assets of the State or local government in a person described in subsection (c) or to impose disclosure and transparency requirements on any person subject to the jurisdiction of such government, except with respect to an activity that is exempt, licensed, or otherwise authorized by a Federal department or agency.

''(b) AUTHORITY.—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (d)—

''(1) to divest the assets of the State or local government from a person described in subsection (c);

''(2) to prohibit investment of the assets of the State or local government in any such person; or

''(3) to impose disclosure and transparency requirements on any person subject to the jurisdiction of such government, except with respect to an activity that is exempt, licensed, or otherwise authorized by a Federal department or agency.

''(c) PERSONS DESCRIBED.—A person described in this subsection is a person with respect to which sanctions have been, and continue to be, imposed pursuant to—

''(1) section 104(c) of this Act;

''(2) section 5 of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note);

''(3) section 1245(d) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)); or

''(4) sections 1244, 1245, 1246 or 1247 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8803, 8804, 8805, or 8806).''.

(b) CONFORMING AMENDMENTS.—Section 202 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8532) is amended—

(1) in subsection (d)(4), by striking ''engages in investment activities in Iran described in subsection (c)'' and inserting ''is a person described in subsection (c)'';

(2) in subsection (f), by striking ''or (i)'' and inserting ''or (g)'';

(3) by striking subsection (h) and by redesignating subsections (i) and (j) as subsections (h) and (i), respectively; and

(4) in paragraph (1) of subsection (i) (as redesignated by paragraph (3) of this subsection), by striking ''(determined without regard to subsection (c))''.

(c) EFFECTIVE DATE.—The amendments made by this section apply to measures adopted by State and local governments on or after the date of the enactment of this Act.

SEC. 213. SENSE OF CONGRESS REGARDING THE EUROPEAN CENTRAL BANK.

(a) FINDINGS.—Congress finds the following:

(1) The Government of Iran, its agencies and instrumentalities, continue to have access to, and utilize, euro-denominated transactions, including for goods and services that are subject to sanctions imposed by the United States, the European Union and its member states and by the United Nations.

(2) The Guidelines of the European Central Bank (Article 39(1)) states that: ''Participants shall be deemed to be aware of, and shall comply with, all obligations on them relating to legislation on data protection, prevention of money laundering and the financing of terrorism, proliferation-sensitive nuclear activities and the development of nuclear weapons delivery systems, in particular in terms of implementing appropriate measures concerning any payments debited or credited on their PM accounts.''

(3) United States and European convergence with respect to United States sanctions efforts toward the Government of Iran is a vital component of United States policy aimed at preventing the Government of Iran from acquiring a nuclear weapons capability.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should continue to closely coordinate and cooperate with the European Union and its member states to restrict access to and use of the euro currency by the Government of Iran, its agencies and instrumentalities, for transactions with the exception of food, medicine, medical devices, and agricultural commodities.

SEC. 214. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS IN FOREIGN CURRENCIES.

(a) IMPOSITION OF SANCTIONS.—Subtitle B of title II of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8721 et seq.) is amended by inserting after section 220 the following:

''SEC. 220A. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS IN FOREIGN CURRENCIES.

''(a) IN GENERAL.—Except as provided in this section, the President—

''(1) shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that is a person described in subsection (c); and

''(2) may impose sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to any other person described in subsection (c).

''(b) EXCEPTION.—The authority to impose sanctions under subsection (a)(2) shall not include the authority to impose sanctions relating to the importation of goods.

''(c) PERSON DESCRIBED.—A person described in this subsection is a person the President determines has—

''(1) knowingly conducted or facilitated a significant transaction involving the currency of a country other than the country in which the person is operating at the time of the transaction with, for, or on behalf of—

''(A) the Central Bank of Iran or another Iranian financial institution designated by the Secretary of the Treasury for the imposition of sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

''(B) a person described in section 1244(c)(2) of the Iran Freedom and Counter-Proliferation Act (22 U.S.C. 8803(c)(2)) (other than a person described in subparagraph (C)(iii) of that section); or

''(2) knowingly conducted or facilitated a significant transaction by another person involving the currency of a country other than the country in which that other person is operating at the time of the transaction, with, for, or on behalf of a person described in subparagraph (A) or (B) of paragraph (1).

''(d) WAIVER.—

''(1) IN GENERAL.—The President may waive the application of subsection (a) with respect to a person for a period of not more than 180 days, and may renew that waiver for additional periods of not more than 180 days, if the President—

''(A) determines that the waiver is vital to the national security of the United States; and

''(B) not less than 7 days before the waiver or the renewal of the waiver, as the case may

be, takes effect, submits a report to the appropriate congressional committees on the waiver and the reason for the waiver.

''(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form but may include a classified annex.

''(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit any person from, or authorize or require the imposition of sanctions with respect to any person for, conducting or facilitating any transaction in the currency of the country in which the person is operating at the time of the transaction for the sale of agricultural commodities, food, medicine, or medical devices.

''(f) DEFINITIONS.—In this section:

''(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms 'account', 'correspondent account', and 'payable-through account' have the meanings given those terms in section 5318A of title 31, United States Code.

''(2) AGRICULTURAL COMMODITY.—The term 'agricultural commodity' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

''(3) FOREIGN FINANCIAL INSTITUTION.—The term 'foreign financial institution' has the meaning given that term in section 561.308 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

''(4) GOOD.—The term 'good' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

''(5) IRANIAN FINANCIAL INSTITUTION.—The term 'Iranian financial institution' has the meaning given that term in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).

''(6) MEDICAL DEVICE.—The term 'medical device' has the meaning given the term 'device' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(7) MEDICINE.—The term 'medicine' has the meaning given the term 'drug' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(8) TRANSACTION.—The term 'transaction' includes a foreign exchange swap, a foreign exchange forward, and any other type of similar currency exchange or conversion or similar derivative instrument.''.

(b) CONFORMING AMENDMENTS.—

(1) IMPLEMENTATION.—Section 601(a)(1) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8781(a)(1)) is amended by inserting ''220A,'' after ''220,''.

(2) PENALTIES.—Section 601(b)(2)(A) of such Act (22 U.S.C. 8781(b)(2)(A)) is amended by striking ''and 220,'' and inserting ''220, and 220A,''.

(3) TERMINATION.—Section 605(a) of such Act (22 U.S.C. 8785(a)) is amended by inserting ''220A,'' after ''220,''.

(c) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by inserting after the item relating to section 220 the following:

''Sec. 220A. Imposition of sanctions with respect to certain transactions in foreign currencies.''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to transactions entered into on or after May 22, 2013.

SEC. 215. SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS WITH IRAN.

(a) IN GENERAL.—Subtitle B of title II of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8721 et seq.) is amended by adding at the end the following new section:

''SEC. 225. SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS WITH IRAN.

''(a) AUTHORIZATION OF SANCTIONS.—

''(1) IN GENERAL.—Except as provided in this section, the President may impose sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) on a foreign person that the President determines has, on or after the date that is 60 days after the date of the enactment of the Nuclear Iran Prevention Act of 2013, knowingly conducted or facilitated a significant financial transaction with the Central Bank of Iran or other Iranian financial institution that has been designated by the Secretary of the Treasury for the imposition of sanctions pursuant to the International Emergency Economic Powers Act, for—

''(A) the purchase of goods or services by a person in Iran or on behalf of a person in Iran; or

''(B) the purchase of goods or services from a person in Iran or on behalf of a person in Iran.

''(2) EXCEPTION.—

''(A) IN GENERAL.—The authority to impose sanctions under paragraph (1) shall not include the authority to impose sanctions relating to the importation of goods.

''(B) GOOD.—In this paragraph, the term 'good' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

''(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the imposition of sanctions with respect to a financial transaction for the purchase of petroleum or petroleum products from Iran under section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1648).

''(b) EXCEPTION FOR OVERALL REDUCTIONS OF EXPORTS TO AND IMPORTS FROM IRAN.—

''(1) IN GENERAL.—The President is authorized not to impose sanctions under subsection (a) on a foreign person if the President determines and submits to the appropriate congressional committees a report that contains a determination of the President that the country with primary jurisdiction over the foreign person has, during the time period described in paragraph (2), significantly reduced the value and volume of imports and exports of goods (other than petroleum or petroleum products) and services between such country and Iran.

''(2) TIME PERIOD DESCRIBED.—The time period referred to in paragraph (1) is the 60-day period ending on the date on which the President makes the determination under paragraph (1) as compared to the immediately preceding 60-day period.

''(c) EXCEPTION FOR SALES OF AGRICULTURAL COMMODITIES, FOOD, MEDICINE AND MEDICAL DEVICES.—The President may not impose sanctions under subsection (a) on a foreign person with respect to a transaction for the sale of agricultural commodities, food, medicine or medical devices to Iran.

''(d) DEFINITIONS.—In this section:

''(1) FOREIGN PERSON.—The term 'foreign person' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

''(2) IRANIAN FINANCIAL INSTITUTION.—The term 'Iranian financial institution' has the meaning given that term in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).''.

(b) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by inserting after the item relating to section 224 the following:

''Sec. 225. Sanctions with respect to certain transactions with Iran.''.

Subtitle C—Other Matters

SEC. 221. IMPOSITION OF SANCTIONS WITH RESPECT TO THE CENTRAL BANK OF IRAN AND OTHER IRANIAN FINANCIAL INSTITUTIONS.

(a) EXCEPTION TO APPLICABILITY OF SANCTIONS WITH RESPECT TO PETROLEUM TRANSACTIONS.—Section 1245(d)(4)(D)(i)(I) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1648; 22 U.S.C. 8513a(d)(4)(D)(i)(I)) is amended—

(1) by striking ''reduced reduced'' and inserting ''reduced'';

(2) by inserting ''value and'' before ''volume'';

(3) by inserting ''or of Iranian origin'' after ''from Iran''; and

(4) by adding at the end before the semicolon the following: '', and the President certifies in writing to Congress that the President has based such determination on accurate information on that country's total purchases of crude oil from Iran or of Iranian origin''.

(b) FINANCIAL TRANSACTIONS DESCRIBED.—Section 1245(d)(4)(D)(ii)(II) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1648) is amended—

(1) by striking ''(II)'' and inserting ''(II)(aa)'';

(2) in item (aa) (as designated by paragraph (1) of this subsection), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new item:

''(bb) the foreign financial institution holding the account described in item (aa) does not knowingly facilitate any significant financial transfers for, with, or on behalf of the Government of Iran, unless the transaction is excepted from sanctions under paragraph (2) or is a transaction described in subclause (I) and item (aa).''.

(c) STRATEGY TO REDUCE CRUDE OIL PURCHASES FROM IRAN OR OF IRANIAN ORIGIN.—

(1) STATEMENT OF POLICY.—It is the policy of the United States to seek to ensure that countries that have received an exception under subparagraph (D)(i)(I) of section 1245(d)(4) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1648) shall reduce their crude oil purchases from Iran or of Iranian origin so that the aggregate amount of such purchases is reduced by not less than an average of 1,000,000 barrels of crude oil per day by the end of the 1-year period beginning on the date of submission of the strategy described in subparagraph (E)(ii) of such section (as added by paragraph (2) of this subsection).

(2) AMENDMENT.—Section 1245(d)(4) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1648) is amended by adding at the end the following new subparagraph:

''(E) STRATEGY TO REDUCE CRUDE OIL PURCHASES FROM IRAN OR OF IRANIAN ORIGIN.—

''(i) IN GENERAL.—Not later than 30 days after the date of the enactment of the Nuclear Iran Prevention Act of 2013, the President shall make a determination, based on the information contained in the most recent report required under subparagraph (A), of whether each country that received an exception under subparagraph (D)(i)(I) before such date of enactment is able to reduce its crude oil purchases from Iran or of Iranian origin so that the aggregate amount of such

purchases is reduced by not less than an average of 1,000,000 barrels of crude oil per day by the end of the 1-year period beginning on the date of submission of the strategy described in clause (ii). If the President makes an initial determination under this clause that the requirements of this clause cannot be met, then the President shall continue to make a determination under this clause every 90 days thereafter as to whether or not the requirements of this clause can be met.

''(ii) STRATEGY.—If the President determines that the requirements of clause (i) can be met, then not later than 60 days after the date of such affirmative determination, the President shall develop and submit to the appropriate congressional committees a strategy to seek to ensure that the requirements of clause (i) are met by the end of the 1-year period beginning on such date of submission.

''(iii) FUTURE EXCEPTIONS.—

''(I) AFFIRMATIVE DETERMINATION.—If the President determines that the strategy described in clause (ii) was achieved, then each country described in clause (i) shall be eligible to receive one or more further exceptions under subparagraph (D)(i)(I) in accordance with the provisions of such subparagraph.

''(II) NEGATIVE DETERMINATION.—Except as provided in subclause (III), if the President determines that the strategy described in clause (ii) was not achieved, then each country described in clause (i) shall be ineligible to receive any further exception under subparagraph (D)(i)(I) in accordance with the provisions of such subparagraph.

''(III) EXCEPTION.—

''(aa) IN GENERAL.—Subclause (II) shall not apply with respect to a country described in clause (i) if the country—

''(AA) dramatically reduced its crude oil purchases from Iran or of Iranian origin during the 1-year period described in clause (ii); and

''(BB) has committed itself to continue to reduce its crude oil purchases from Iran or of Iranian origin to a de minimis level.

''(bb) DATA.—The President shall submit to the appropriate congressional committees all data used to make a determination under item (aa) not later than 15 days before issuing an exception under item (aa).

''(iv) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subparagraph, the term 'appropriate congressional committees' means—

''(I) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

''(II) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.''.

(d) DEFINITION OF CRUDE OIL.—Section 1245(d)(4)(D) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)) is amended by adding at the end the following new clause:

''(iii) CRUDE OIL.—In this subparagraph, the term 'crude oil' includes unfinished oils, liquefied petroleum gases, distillate fuel oil, and residual fuel oil.''.

(e) WAIVER.—Section 1245(d)(5)(A) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(5)(A)) is amended by striking ''in the national'' and inserting ''vital to the national''.

(f) DEFINITIONS OF ''SIGNIFICANT REDUCTION''.—Section 1245(h)(3) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(h)(3)) is amended—

(1) by striking ''price or volume'' and inserting ''price and volume''; and

(2) by adding at the end before the period the following: ''and at least a pro rata amount totaling, in the aggregate, not less than an average of 1,000,000 barrels of crude oil per day by the end of the 1-year period beginning on the date of submission of the strategy described in subsection (d)(4)(E)(ii)''.

(g) EFFECTIVE DATE.—The amendments made by this section take effect beginning on the date that is 180 days after the date of the enactment of this Act.

SEC. 222. IMPOSITION OF SANCTIONS WITH RESPECT TO PORTS, SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND STRATEGIC SECTORS OF IRAN.

(a) FINDINGS.—Subsection (a)(1) of section 1244 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8803) is amended by striking ''and shipbuilding'' and inserting ''shipbuilding, automotive, construction, engineering, or mining''.

(b) DESIGNATION OF PORTS, SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND ENTITIES IN STRATEGIC SECTORS AS ENTITIES OF PROLIFERATION CONCERN.—Subsection (b) of such section is amended—

(1) in the subsection heading, by striking ''AND ENTITIES IN THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS'' and inserting '', SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND ENTITIES IN STRATEGIC SECTORS''; and

(2) by striking ''and entities in the energy, shipping, and shipbuilding sectors'' and inserting '', entities that operate special economic zones or free economic zones, and entities in strategic sectors (as defined in subsection (c)(4))''.

(c) BLOCKING OF PROPERTY OF PORTS, SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND ENTITIES IN STRATEGIC SECTORS.—Subsection (c) of such section is amended—

(1) in the subsection heading, by striking ''ENTITIES IN ENERGY, SHIPPING, AND SHIPBUILDING SECTORS'' and inserting ''PORTS, SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND ENTITIES IN STRATEGIC SECTORS'';

(2) in paragraph (2)—

(A) by striking ''the energy, shipping, or shipbuilding sectors'' each place it appears and inserting ''a strategic sector (as defined in paragraph (4)(A))''; and

(B) by inserting '', special economic zone, or free economic zone'' after ''port'' each place it appears; and

(3) by adding at the end the following new paragraphs:

''(4) STRATEGIC SECTOR DEFINED.—In this section, the term 'strategic sector' means—

''(A) the energy, shipping, shipbuilding, automotive, or mining sector of Iran; and

''(B) the construction or engineering sector of Iran if the President determines and reports to Congress not later than 45 days after the date of the enactment of the Nuclear Iran Prevention Act of 2013 that the construction or engineering sector of Iran, as the case may be, is of strategic importance to Iran.

''(5) NOTIFICATION AND REPORT RELATING TO STRATEGIC SECTORS.—

''(A) NOTIFICATION.—The President shall submit to Congress a notification of the designation of a sector as a strategic sector of Iran for purposes of paragraph (4)(C) not later than 30 days after the date on which the President makes such designation.

''(B) REPORT.—Not later than 90 days after the date on which the President submits to Congress a notification of the designation of a sector as a strategic sector of Iran under subparagraph (A), the Comptroller General of the United States shall submit to Congress a report that contains—

''(i) a review and comment on such designation; and

''(ii) recommendations regarding the designation of additional sectors as strategic sectors of Iran for purposes of paragraph (4).''.

(d) ADDITIONAL SANCTIONS WITH RESPECT TO STRATEGIC SECTORS.—Subsection (d) of such section is amended—

(1) in the subsection heading, by striking ''THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS'' and inserting ''STRATEGIC SECTORS''; and

(2) in paragraph (3), by striking ''the energy, shipping, or shipbuilding sectors'' and inserting ''a strategic sector (as defined in subsection (c)(4)(A))''.

(e) EXCEPTION FOR AFGHANISTAN RECONSTRUCTION.—Subsection (f) of such section is amended—

(1) in the matter preceding paragraph (1), by inserting ''for a period of not more than 1 year, and may renew that exception for additional periods of not more than 1 year'' after ''economic development for Afghanistan'';

(2) in paragraph (1)—

(A) by striking ''to the extent that'' and inserting ''if'';

(B) by inserting ''or the renewal of the exception, as the case may be,'' after ''such an exception''; and

(C) by striking ''in the national interest'' and inserting ''in the national security interest''; and

(3) in paragraph (2)—

(A) by inserting ''or the renewal of the exception, as the case may be,'' before ''not later than 15 days''; and

(B) by inserting at the end before the period the following: ''or the renewal of the exception''.

(f) CONFORMING AMENDMENT.—Such section is further amended in the section heading by striking ''**THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS**'' and inserting ''**PORTS, SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND STRATEGIC SECTORS**''.

(g) EFFECTIVE DATE.—The amendments made by this section—

(1) take effect on the date that is 90 days after the date of the enactment of this Act; and

(2)(A) with respect to subsection (c) of section 1244 of the National Defense Authorization Act for Fiscal Year 2013, as so amended, apply with respect to all transactions in all property and interests in property of any person described in subsection (c)(2) of such section that occur on or after the date that is 180 days after such date of enactment; and

(B)(i) with respect to subsection (d)(1) of section 1244 of the National Defense Authorization Act for Fiscal Year 2013, apply with respect to the sale, supply, or transfer to or from Iran of goods or services described in subsection (d)(3) of such section, as so amended, that occurs on or after the date that is 180 days after such date of enactment; and

(ii) with respect to subsection (d)(2) of section 1244 of the National Defense Authorization Act for Fiscal Year 2013, apply with respect to the conduct or facilitation of a significant financial transaction for the sale, supply, or transfer to or from Iran of goods or services described in subsection (d)(3) of such section, as so amended, that occurs on or after the date that is 180 days after such date of enactment.

SEC. 223. REPORT ON DETERMINATIONS NOT TO IMPOSE SANCTIONS ON PERSONS WHO ALLEGEDLY SELL, SUPPLY, OR TRANSFER PRECIOUS METALS TO OR FROM IRAN.

Section 1245 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8804) is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection:

''(h) REPORT ON DETERMINATIONS NOT TO IMPOSE SANCTIONS ON PERSONS WHO ALLEGEDLY SELL, SUPPLY, OR TRANSFER PRECIOUS METALS TO OR FROM IRAN.—

''(1) IN GENERAL.—Not later than 90 days after the date of the enactment of Nuclear Iran Prevention Act of 2013, and every 90 days thereafter, the President shall submit to the appropriate congressional committees a report on each determination of the President during the preceding 90-day period not to impose sanctions under subsection (a) or (c) with respect to a person who allegedly sells, supplies, or transfers precious metals, directly or indirectly, to or from Iran, together with the reasons for such determination.

''(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex, if necessary.''.

SEC. 224. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT FACILITATE FINANCIAL TRANSACTIONS ON BEHALF OF PERSONS OWNED OR CONTROLLED BY SPECIALLY DESIGNATED NATIONALS.

Section 1247 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8806) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f) PERSONS OWNED OR CONTROLLED BY SPECIALLY DESIGNATED NATIONALS.—

''(1) IN GENERAL.—The President shall impose sanctions described in subsection (a) with respect to a foreign financial institution, including but not limited to a foreign central bank, that the President determines has, on or after the date that is 90 days after the date of the enactment of the Nuclear Iran Prevention Act of 2013, knowingly facilitated a significant financial transaction on behalf of any person determined by the President to be directly owned or controlled by an Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in subsection (b)).

''(2) SENSE OF CONGRESS.—It is the sense of Congress that the President routinely should determine on or after the date of the enactment of the Nuclear Iran Prevention Act of 2013 those persons that are directly or indirectly owned or controlled by an Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in subsection (b)).

''(3) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—The President shall consider credible data already obtained by other countries and nongovernmental organizations in making determinations described in paragraph (1).''.

SEC. 225. REPEAL OF EXEMPTIONS UNDER SANCTIONS PROVISIONS OF NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.

Subtitle D of title XII of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8801 et seq.) is amended—

(1) in section 1244—

(A) in subsection (c)(1)—

(i) by striking ''(1) BLOCKING OF PROPERTY.—'' and all that follows through ''On and after'' and inserting ''(1) BLOCKING OF PROPERTY.—On and after''; and

(ii) by striking subparagraph (B); and

(B) in subsection (d)(1)—

(i) by striking ''(1) SALE, SUPPLY, OR TRANSFER OF CERTAIN GOODS AND SERVICES.—'' and all that follows through ''Except as provided'' and inserting ''(1) SALE, SUPPLY, OR TRANSFER OF CERTAIN GOODS AND SERVICES.—Except as provided''; and

(ii) by striking subparagraph (B);

(2) in section 1245(a)—

(A) by striking ''(a) SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS.—'' and all that follows through ''The President'' and inserting ''(a) SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS.—The President'';

(B) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively (and by redesignating all subunits therein accordingly);

(C) in paragraph (3)(B) (as redesignated by subparagraph (B) of this paragraph)—

(i) in clause (i), by striking ''subclause (I) of clause (i)'' and inserting ''clause (i) of subparagraph (A)'';

(ii) in clause (ii), by striking ''subclause (II) of that clause'' and inserting ''clause (ii) of that subparagraph''; and

(iii) in clause (iii), by striking ''subclause (III) of that clause'' and inserting ''clause (iii) of that subparagraph''; and

(D) by striking ''(2) EXCEPTION.—'' and all that follows through ''paragraph (1).''; and

(3) in section 1246(a)—

(A) by striking ''(a) IMPOSITION OF SANCTIONS.—'' and all that follows through ''Except as provided'' and inserting ''(a) IMPOSITION OF SANCTIONS.—Except as provided'';

(B) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively (and by redesignating all subunits therein accordingly); and

(C) by striking ''(2) EXCEPTION.—'' and all that follows through ''paragraph (1).''; and

SEC. 226. TERMINATION OF GOVERNMENT CONTRACTS WITH PERSONS WHO SELL GOODS, SERVICES, OR TECHNOLOGY TO, OR CONDUCT ANY OTHER TRANSACTION WITH, IRAN.

(a) MODIFICATION OF FEDERAL ACQUISITION REGULATION.—Not later than 90 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to require a certification from each person that is a prospective contractor that the person, and any person under common ownership or control with the person, does not sell goods, services, or technology to, or conduct any other transaction with, Iran for which sanctions may be imposed under this Act.

(b) REMEDIES.—

(1) IN GENERAL.—If the head of an executive agency determines that a person has submitted a false certification under subsection (a) on or after the date on which the applicable revision of the Federal Acquisition Regulation required by this section becomes effective, the head of that executive agency shall terminate a contract with such person or debar or suspend such person from eligibility for Federal contracts for a period of not less than 2 years. Any such debarment or suspension shall be subject to the procedures that apply to debarment and suspension under the Federal Acquisition Regulation under subpart 9.4 of part 9 of title 48, Code of Federal Regulations.

(2) INCLUSION ON LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT AND NONPROCUREMENT PROGRAMS.—The Administrator of General Services shall include on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs maintained by the Administrator under part 9 of the Federal Acquisition Regulation each person that is debarred, suspended, or proposed for debarment or suspension by the head of an executive agency on the basis of a determination of a false certification under paragraph (1).

(c) RULE OF CONSTRUCTION.—This section shall not be construed to limit the use of other remedies available to the head of an executive agency or any other official of the Federal Government on the basis of a determination of a false certification under subsection (a).

(d) WAIVERS.—

(1) IN GENERAL.—The President may on a case-by-case basis waive the requirement that a person make a certification under subsection (a) if the President determines and certifies in writing to the congressional committees described in paragraph (2) that it is essential to the national security interests of the United States to do so.

(2) CONGRESSIONAL COMMITTEES DESCRIBED.—The congressional committees referred to in paragraph (1) are—

(A) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Oversight and Government Reform of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate.

(e) DEFINITIONS.—In this section:

(1) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code.

(2) FEDERAL ACQUISITION REGULATION.—The term ''Federal Acquisition Regulation'' means the regulation issued pursuant to section 1303(a)(1) of title 41, United States Code.

(f) APPLICABILITY.—The revisions to the Federal Acquisition Regulation required under subsection (a) shall apply with respect to contracts for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

SEC. 227. CONDITIONS FOR ENTRY AND OPERATION OF VESSELS.

(a) IN GENERAL.—The Ports and Waters Safety Act (33 U.S.C. 1221 et seq.) is amended by adding at the end the following:

''SEC. 16. PROHIBITION ON ENTRY AND OPERATION.

''(a) PROHIBITION.—

''(1) IN GENERAL.—No foreign vessel described in subsection (b) shall enter or operate in the navigable waters of the United States or transfer cargo in any port or place under the jurisdiction of the United States.

''(2) LIMITATION ON APPLICATION.—Paragraph (1) shall not apply with respect to a vessel described in subsection (b)(2) on and after any date on which the Secretary of State determines that the vessel is no longer registered as described in that subsection. The Secretary of State shall publish a notice of each such determination in the Federal Register.

''(b) VESSELS DESCRIBED.—A vessel referred to in subsection (a) is a foreign vessel for which a Notice of Arrival is required to be filed under section 160 of title 33, Code of Federal Regulations, as in effect on the date of enactment of the Nuclear Iran Prevention Act of 2013, and that—

''(1) is on a list of vessels published in Federal Register under subsection (c)(2); or

''(2) more than 180 days after the publication of such a list, is registered, pursuant to the Geneva Convention on the High Seas (13 U.S.T. 2312; TIAS 5200; 450 UNTS 82), by a government the agents or instrumentalities of which are maintaining a registration of a vessel that is included in such list.

''(c) INFORMATION AND PUBLICATION.—The Secretary of Transportation, in consultation with the Secretary of State, shall—

''(1) maintain timely information on registrations of all foreign vessels over 300 gross tons that are—

''(A) owned or operated by or on behalf of—

''(i) the National Iran Tanker Company or the Islamic Republic of Iran Shipping Line; or

''(ii) any successor to an entity referred to in clause (i); or

''(B) otherwise owned or operated by or on behalf of Iran; and

''(2) publish in the Federal Register a list of vessels described in paragraph (1), including periodic updates of such list.

''(d) NOTIFICATION OF GOVERNMENTS.—The Secretary of State shall notify each government the agents or instrumentalities of which are maintaining a registration of a foreign vessel that is included on the list published under subsection (c)(2), that all vessels registered under such government's authority are subject to the prohibition under subsection (a) if more than 180 days after such publication the government continues to maintain a registration for a vessel that is included on the list published under subsection (c)(2).

''(e) NOTIFICATION OF VESSELS.—Upon receiving a Notice of Arrival under section 160 of title 33, Code of Federal Regulations (as in effect on the date of enactment of the Nuclear Iran Prevention Act of 2013) from a vessel described in (b), the Secretary shall notify the master of such vessel that the vessel may not enter or operate in the navigable waters of the United States or transfer cargo in any port or place under the jurisdiction of the United States, unless—

''(1) the Secretary has made a determination described in subsection (a)(2); or

''(2) the Secretary allows provisional entry of the vessel, or transfer of cargo from the vessel, under subsection (f).

''(f) PROVISIONAL ENTRY OR CARGO TRANSFER.—Notwithstanding subsection (e), the Secretary may allow provisional entry of, or transfer of cargo from, a foreign vessel described in subsection (b), if such entry or transfer is necessary for the safety of the vessel or persons aboard.

''(g) RIGHT OF INNOCENT PASSAGE.—This section shall not be construed as authority to restrict the right of innocent passage as recognized under international law.

''(h) FOREIGN VESSEL DEFINED.—In this section the term 'foreign vessel' has the meaning given that term in section 110 of title 46, United States Code.''.

(b) DEADLINE FOR PUBLICATION.—The Secretary shall publish a list under section 16(c)(2) of the Ports and Waterways Safety Act, as amended by this section, by not later than 180 days after the date of the enactment of this Act.

(c) CONFORMING AMENDMENTS.—

(1) Section 13(e) of the Ports and Waterways Safety Act (33 U.S.C. 1232(e)) is amended by striking ''section 9'' and inserting ''sections 9 and 16''.

(2) Section 4(b)(2) of the Ports and Waterways Safety Act (33 U.S.C. 1223(b)(2)) is amended by striking ''section 9'' and inserting ''section 9 or 16''.

TITLE III—ADDITIONAL AUTHORITIES TO PREVENT CENSORSHIP ACTIVITIES IN IRAN

SEC. 301. REPORT ON IMPLEMENTATION OF SANCTIONS AGAINST THE ISLAMIC REPUBLIC OF IRAN BROADCASTING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report on the following:

(1) The current status of availability of the Islamic Republic of Iran Broadcasting (IRIB) on international satellites, entities that facilitate its operation by providing services or equipment, and the technical means that it engages in jamming.

(2) The instances, since January 1, 2012, in which the IRIB engaged in activities that violated Article 19 of the International Covenant on Civil and Political Rights, including broadcasting forced confessions and hate speech against minorities.

(3) The instances, since January 1, 2012, in which international broadcasting programs originating from the United States and Europe have been subject to disruption in Iran, with relevant details such as which programs were disrupted, available location information on the origin of the disruption, and the extent of the disruption.

(b) COORDINATION.—In developing the report required by subsection (a), the Secretary of State shall coordinate with the Broadcasting Board of Governors, the Secretary of the Treasury, and the heads of other relevant Federal departments and agencies.

(c) PUBLIC AVAILABILITY.—All unclassified portions of the report required by subsection (a) shall be made publicly available on the Internet web site of the Department of State.

SEC. 302. LIST OF PERSONS WHO ARE HIGH-RISK RE-EXPORTERS OF SENSITIVE TECHNOLOGIES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Commerce, in conjunction with the Secretary of State and the Secretary of the Treasury, shall make publicly available and update as appropriate a list of persons who are high-risk re-exporters of sensitive technologies in order to seek to ensure that the Government of Iran or an entity owned or controlled by that Government is unable to obtain sensitive technologies through the re-export of such sensitive technologies by third-party intermediaries.

(b) DEFINITION.—In this section, the term ''sensitive technology'' has the meaning given that term in section 106 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8515).

SEC. 303. SENSE OF CONGRESS ON PROVISION OF INTERCEPT TECHNOLOGIES TO IRAN.

It is the sense of Congress that—

(1) those that provide intercept technologies that limit freedom of speech or expression to the Government of Iran should be held accountable for the repression of the Iranian people; and

(2) no person should use an existing contract with the Government of Iran as a justification to continue to supply intercept technologies to the Government of Iran for purposes of restricting the free flow of information.

SEC. 304. SENSE OF CONGRESS ON AVAILABILITY OF CONSUMER COMMUNICATION TECHNOLOGIES IN IRAN.

It is the sense of Congress that—

(1) the Department of State should encourage the free flow of information in Iran to counter the Government of Iran's repression of its own people; and

(2) in order to facilitate the free flow of information in Iran, the Department of State should promote the availability of certain consumer communication technologies to Iranian civil society and the Iranian people.

SEC. 305. EXPEDITED CONSIDERATION OF REQUESTS FOR AUTHORIZATION OF TRANSFER OF GOODS AND SERVICES TO IRAN TO FACILITATE THE ABILITY OF IRANIAN PERSONS TO FREELY COMMUNICATE.

(a) IN GENERAL.—Section 413 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8753) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

''(e) RULE OF CONSTRUCTION.—The expedited process for the consideration of complete requests for authorization to engage in the activities described in subsection (a) shall be construed to also apply to the transfer of goods and services to Iran to facilitate the ability of Iranian persons to freely communicate, obtain information, and access the Internet and other communications systems.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to requests described in section 413 of the Iran Threat Reduction and Syria Human Rights Act of 2012, as so amended, that are submitted to the Office of Foreign Assets Control on or after such date of enactment.

TITLE IV—REPORTS AND OTHER MATTERS

SEC. 401. NATIONAL STRATEGY ON IRAN.

(a) NATIONAL STRATEGY REQUIRED.—The President shall develop a strategy, to be known as the ''National Strategy on Iran'', that provides strategic guidance for activities that support the objective of addressing the threats posed by Iran.

(b) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act or January 30, 2014, whichever occurs first, and every January 30 thereafter, the President shall submit to the appropriate congressional committees the National Strategy on Iran required under subsection (a).

(c) MATTERS TO BE INCLUDED.—The report required under subsection (b) shall include, at a minimum, the following:

(1) A description of Iran's grand strategy and security strategy, including strategic objectives, and the security posture and objectives of Iran.

(2) A description of the United States strategy to—

(A) address and counter the capabilities of Iran's conventional forces and Iran's unconventional forces;

(B) disrupt and deny Iranian efforts to develop or augment capabilities related to nuclear, unconventional, and missile forces development;

(C) address the Government of Iran's economic strategy to enable the objectives described in this subsection;

(D) exploit key vulnerabilities; and

(E) combat Iranian efforts to suppress Internet freedom, including actions of the United States to—

(i) work to promote expanded Internet access for democracy activists in Iran;

(ii) add a public diplomacy page to the United States' virtual embassy in Iran; and

(iii) leverage multilateral organizations committed to Internet connectivity in Iran.

(3) An implementation plan for the United States strategy described in paragraph (2).

(d) FORM.—The report required under subsection (b) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex, if necessary.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, and the Permanent Select Committee on Intelligence of the Senate.

SEC. 402. REPORT ON IRANIAN NUCLEAR AND ECONOMIC CAPABILITIES.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on the following:

(1) An estimate of the timeline for Iranian capabilities to develop nuclear weapons, including—

(A) an estimate of the period of time it would take Iran to produce enough weapons-grade uranium for a single implosion-type nuclear weapon, taking into account all known relevant technical data;

(B) an estimate of the period of time it would take Iran to produce sufficient separated plutonium for a single nuclear weapon;

(C) a description of the assumptions underlying the estimates referred to in subparagraphs (A) and (B), and any information about developments that might alter or otherwise affect those assumptions;

(D) an estimate of the date by which the periods of time referred to in subparagraphs (A) and (B) will be less than 45 days; and

(E) a description of any efforts by the United States to increase the frequency of inspections by the International Atomic Energy Agency of nuclear facilities in Iran.

(2) An assessment of Iranian strategy and capabilities relating to development of nuclear weapons, including—

(A) a summary and analysis of current nuclear weapons capabilities;

(B) an estimate of the amount and sources of funding expended by, and an analysis of procurement networks utilized by, Iran to develop its nuclear weapons capabilities;

(C) a summary of the capabilities of Iran's unconventional weapons and Iran's ballistic missile forces and Iran's cruise missile forces;

(D) a detailed analysis of the effectiveness of Iran's unconventional weapons and Iran's ballistic missile forces and Iran's cruise missile forces as delivery systems for a nuclear device;

(E) a description of all efforts of Iran to design and develop a nuclear weapon, including efforts to design or fit warheads, and any other possible military dimensions of the nuclear program of Iran; and

(F) an analysis of the procurement network, including the amount and sources of funding expended by Iran on programs to develop a nuclear weapons capability.

(3) Projected economic effects of international sanctions on Iran, including—

(A) an estimate of the capital accounts, current accounts, and amounts of foreign exchange reserves (including access to foreign exchange reserves) of the Government of Iran, and other leading indicators of the status of the economy of Iran;

(B) an estimate of timelines with respect to macroeconomic viability of Iran, including the time by which the Government of Iran will exhaust its foreign exchange reserves;

(C) an estimate of the date by which the reserves of the Central Bank of Iran will be insufficient for the Government of Iran to avoid a severe balance of payments crisis that prevents it from maintaining a functioning economy, including—

(i) the inflation rate, exchange rates, unemployment rate, and budget deficits in Iran; and

(ii) other leading macroeconomic indicators used by the International Monetary Fund, professional rating agencies, and other credible sources to assess the economic health of a country;

(D) a description of the assumptions underlying the estimate referred to in paragraph (3) and an indication of how changes in each of those assumptions could affect the estimate;

(E) an assessment of the effect of sanctions imposed with respect to Iran on moving forward the date referred to in subparagraph (C); and

(F) a description of actions taken by the Government of Iran to delay the date referred to in subparagraph (C).

(b) UPDATE.—The President shall submit to the appropriate congressional committees an update of the report required by subsection (a) every 60 days after the date of submission of the report that includes any pertinent developments to Iranian nuclear or economic capabilities.

(c) FORM.—The report required under subsection (a) and the update required under subsection (b) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex, if necessary.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, and the Select Committee on Intelligence of the Senate.

(2) NUCLEAR EXPLOSIVE DEVICE.—The term ''nuclear explosive device'' means any device, whether assembled or disassembled, that is designed to produce an instantaneous release of an amount of nuclear energy from special nuclear material that is greater than the amount of energy that would be released from the detonation of one pound of trinitrotoluene (TNT).

SEC. 403. REPORT ON PLAUSIBILITY OF EXPANDING SANCTIONS ON IRANIAN OIL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report assessing the following:

(1) Whether petroleum and petroleum products originating in and exported from Iran are refined and sold outside of Iran.

(2) Whether products that contain Iranian-origin petroleum or petroleum products as part of their contents are imported into the United States and, if any such products are imported into the United States, whether such importation violates the ban on importation into the United States of Iranian-origin petroleum or petroleum products.

(3) Whether it is feasible to ban the importation into the United States of products described in paragraph (2), regardless of whether the ban on importation into the United States of Iranian-origin petroleum or petroleum products applies to such products.

(b) BASIS OF REPORT.—The report required under subsection (a) may be based on publicly-available information and classified information. The information that is not classified information shall be made publically available.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate.

SEC. 404. GAO REPORT ON IRANIAN STRATEGY TO EVADE CURRENT SANCTIONS AND OTHER MATTERS.

Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) evaluates the strategy of the Government of Iran to evade current economic and financial sanctions; and

(2) specifically evaluates the ability of Iran to successfully diversify its economy beyond its energy sector, thereby lessening the impact and effectiveness of economic and financial sanctions.

SEC. 405. AUTHORITY TO CONSOLIDATE REPORTS REQUIRED UNDER IRAN SANCTIONS LAWS.

(a) IN GENERAL.—Any or all reports required to be submitted to Congress under the provisions of law described in subsection (c) that are subject to a deadline for submission consisting of the same unit of time may be consolidated into a single report that is submitted to Congress pursuant to such deadline.

(b) EXCEPTION.—Subsection (a) shall not apply with respect to the initial report of any report described in subsection (a).

(c) PROVISIONS OF LAW DESCRIBED.—The provisions of law referred to in this section are the following:

(1) This Act and the amendments made by this Act.

(2) The Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8801 et seq.).

(3) The Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.).

(4) The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.).

(d) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act and applies with respect to reports required to be submitted to Congress under the provisions of law described in subsection (c) on or after such date of enactment.

SEC. 406. AMENDMENTS TO DEFINITIONS UNDER IRAN SANCTIONS ACT OF 1996 AND IRAN THREAT REDUCTION AND SYRIA HUMAN RIGHTS ACT OF 2012.

(a) IRAN SANCTIONS ACT OF 1996.—Section 14(4)(B) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by striking ''may include, in the discretion of the President'' and inserting ''includes''.

(b) IRAN THREAT REDUCTION AND SYRIA HUMAN RIGHTS ACT OF 2012.—Section 211 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8721) is amended by adding at the end the following new subsection:

''(f) DEFINITION.—In this section, the term 'appropriate congressional committees' includes the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.''.

SEC. 407. RULE OF CONSTRUCTION.

Nothing in this Act or any amendment made by this Act shall be construed to apply with respect to—

(1) any activity relating to a project described in subsection (a) of section 603 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8783) to which the exception under that section applies at the time of the activity; or

(2) any authorized intelligence activity of the United States.

SEC. 408. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this Act and the amendments made by this Act.

(b) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this Act or any amendment made by this Act or regulations prescribed under this Act to the same extent that such penalties apply to a person that commits an unlawful act described in

section 206(a) of the International Emergency Economic Powers Act (50 U.S.C. 1705(a)).

SEC. 409. SEVERABILITY.

(a) IN GENERAL.—If any provision of this Act, or the application of such provision to any person or circumstance, is found to be unconstitutional, the remainder of this Act, or the application of that provision to other persons or circumstances, shall not be affected.

(b) EFFECTIVE DATE UNDER SECTION 214.—If subsection (d) of section 214 is found to be unconstitutional in accordance with subsection (a), the amendments made by such section 214 take effect on the date of the enactment of this Act and apply with respect to transactions entered into on or after such date of enactment.

Mr. ELLISON. Mr. Speaker, I rise to claim time in opposition to the motion.

The SPEAKER pro tempore. Is the gentleman from New York opposed to the motion?

Mr. ENGLE. I am not opposed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Minnesota (Mr. ELLISON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. ROYCE. Mr. Speaker, I ask unanimous consent to yield to the gentleman from New York (Mr. ENGEL) one-half of my time and that he be allowed to control that time.

The SPEAKER pro tempore. Without objection, the gentleman from New York will control 10 minutes.

There was no objection.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, there is no higher national security priority than preventing a nuclear-armed Iran. Foreign Affairs Ranking Member ENGEL and I have worked closely in a bipartisan way to bring this legislation to the floor, and we do it with unanimous support of the members of the Foreign Affairs Committee, all Democrats and all Republicans on that committee. Indeed, 375 Members of the House are cosponsors of this legislation. That's the broad recognition that exists right now, that more needs to be done to stop Iran's nuclear program, which is a danger not only to us in the United States, but certainly to the region and to the world.

Today, we act with that sense of urgency, urgency because Iran's march to nuclear weapons continues. In less than 2 years, the International Atomic Energy Agency has told us that they have doubled in Iran the installed centrifuges at the facilities at Natanz and Fordo. They've doubled those from 8,500 to more than 15,700 centrifuges. And these new centrifuges, many of them are five times more powerful. They spin much faster than those earlier models.

A key facility is buried deep below a mountain, and Iran continues to stonewall the IAEA on its development of nuclear explosive devices. So Iran's intent to develop this weapons capability is very evident.

New President in Iran or not, I am convinced that Iran's supreme leader intends to continue on this path because that is what he says he intends to do; that is, unless sanctions bite to the point where the regime has to make a choice between compromise on its nuclear weapons program or the consequences of the sanctions on the regime.

That is why this legislation dramatically steps up the pressure on the regime in Iran:

It targets the energy sector by compelling countries that are currently purchasing oil from Iran to reduce their collective total by 1 million barrels per day within a year;

It targets additional sectors of Iran's economy;

It further denies the regime access to foreign currency reserves;

It effectively targets Iran's efforts to circumvent international sanctions against the shipping sector in the country;

Equally important, this legislation increases sanctions against Iranian human rights abusers, making clear that it's the Iranian people that we are siding with.

Only when the Iranian leadership truly feels a choice between maintaining power and obtaining the bomb does our diplomacy have a chance to succeed. And we know the Iran regime's view of the world, we know it only too well because its support of keeping the brutal Assad regime in power is self-evident. It has resupplied Hezbollah with 25,000 new rockets, which target Israel.

In recent years, there have been Iranian-sponsored attacks or plots uncovered by the Europeans in Bulgaria, also in India, Thailand, in Georgia, in Azerbaijan, in Cyprus, in Kenya, and even here in Washington, D.C. I'd hate to see an Iran emboldened by a nuclear weapon, but that is the course we are on unless we dramatically step up the pressure. So let's pass this bill.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 26, 2013.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE, I am writing with respect to H.R. 850, the ''Nuclear Iran Prevention Act of 2013,'' which the Committee on Foreign Affairs ordered reported favorably on May 22, 2013. As a result of your having consulted with us on provisions in H.R. 850 that fall within the Rule X jurisdiction of the Committee on the Judiciary, and your agreement to support mutually-agreeable changes to the legislation, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 850 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 850, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 850.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 26, 2013.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 850, the Nuclear Iran Prevention Act of 2013, and for your agreement to discharge H.R. 850 from the Committee on the Judiciary so that it may proceed expeditiously to the House Floor. I am writing to confirm our mutual understanding regarding your Committee's continuing Rule X legislative jurisdiction over portions of H.R. 850, and my support for your Committee's participation in any conference committee that may be named to consider this bill.

I appreciate your assistance in expediting this important legislation for Floor consideration.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 26, 2013.

Hon. DARRELL E. ISSA,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 850, the Nuclear Iran Prevention Act of 2013, and for your agreement to discharge H.R. 850 from the Committee on Oversight and Government Reform so that it may proceed expeditiously to the House Floor. I am writing to confirm our mutual understanding regarding your Committee's continuing Rule X legislative jurisdiction over portions of H.R. 850, and my support for your Committee's participation in any conference committee that may be named to consider this bill.

I appreciate your assistance in expediting this important legislation for Floor consideration.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

Washington, DC, July 26, 2013.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 850, the ''Nuclear Iran Prevention Act of 2013,'' which your Committee reported on May 22, 2013.

H.R. 850 contains provisions within the Committee on Oversight and Government Reform's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Oversight and Government Reform will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Oversight and Government Reform with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FINANCIAL SERVICES,

Washington, DC, July 30, 2013.

Hon. Hon. EDWARD R. ROYCE,
Chairman, House Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: On May 22, 2013, the Committee on Foreign Affairs ordered H.R. 850, the Nuclear Iran Prevention Act of 2013, as amended, to be reported favorably to the House. As a result of your having consulted with the Committee on Financial Services concerning provisions of the bill that fall within our Rule X jurisdiction, I agree to discharge our committee from further consideration of the bill so that it may proceed expeditiously to the House Floor.

The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 850, as amended, at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I appreciate your July 26 letter confirming this understanding with respect to H.R. 850, as amended, and would ask that a copy of our exchange of letters on this matter be included in your committee's report to accompany the legislation and/or in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FOREIGN AFFAIRS,

Washington, DC, July 26, 2013.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 850, the Nuclear Iran Prevention Act of 2013, and for your agreement to discharge H.R. 850 from the Committee on Financial Services so that it may proceed expeditiously to the House Floor. I am writing to confirm our mutual understanding regarding your Committee's continuing Rule X legislative jurisdiction over portions of H.R. 850, and my support for your Committee's participation in any conference committee that may be named to consider this bill.

I appreciate your assistance in expediting this important legislation for Floor consideration. Sincerely,

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS,

Washington, DC, July 26, 2013.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing regarding H.R. 850, the ''Nuclear Iran Prevention Act of 2013,'' which was favorably reported out of your Committee on May 22, 2013. I commend you on your efforts to make sure that the United States is better able to address the critical threats that Iran poses.

I appreciate that in response to the concerns raised by the Committee on Ways & Means, you have agreed to modify sections 102, 201, 214, 215, and 222 of H.R. 850 as reported out of your Committee. As a result, in order to expedite floor consideration of the bill, the Committee on Ways and Means will forgo action on H.R. 850. Further, the Committee will not oppose the bill's consideration on the suspension calendar, based on our understanding that you will work with us as the legislative process moves forward to ensure that our concerns in the sections indicated above as well as other provisions in the Committee's jurisdiction continue to be addressed. This is also being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 850, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

DAVE CAMP,
Chairman, Committee on Ways and Means.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FOREIGN AFFAIRS,

Washington, DC, July 26, 2013.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 850, the Nuclear Iran Prevention Act of 2013, and for your agreement to discharge H.R. 850 from the Committee on Ways and Means so that it may proceed expeditiously to the House Floor. I am writing to confirm our mutual understanding regarding your Committee's continuing Rule X legislative jurisdiction over portions of H.R. 850, and my support for your Committee's participation in any conference committee that may be named to consider this bill.

I appreciate your assistance in expediting this important legislation for Floor consideration.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FOREIGN AFFAIRS,

Washington, DC, July 9, 2013.

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

DEAR MR. CHAIRMAN: Thank you for your consultation with the Foreign Affairs Committee on H.R. 850, the Nuclear Iran Prevention Act of 2013, and your agreement to forgo a sequential referral of that bill. I am writing to confirm our mutual understanding regarding your Committee's continuing Rule X legislative jurisdiction over portions of H.R. 850, and my support for your Committee's participation in any conference committee that may be named to consider that bill.

I appreciate your assistance in expediting this important legislation for floor consideration.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, June 26, 2013.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 850, the Nuclear Iran Prevention Act of 2013, as ordered reported. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

As a result of your having consulted with the Committee and in order to expedite this legislation for floor consideration, the Committee will not assert a jurisdictional claim over this bill by seeking a sequential referral. However, this is conditional on our mutual understanding and agreement that doing so does not in any way alter or diminish the jurisdiction of the Committee on Transportation and Infrastructure with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please, place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 850 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

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

My colleagues come here today proposing this new, intensified legislation on the basis that they would like to stop Iran from having a nuclear weapon. So do we.

□ 1700

Everything that my colleague, Mr. ROYCE, detailed a moment ago is something that we are concerned about.

But we have a changed circumstance, a changed circumstance that this legislation does not acknowledge, and that is that the Iranian people had a choice between candidates, and they selected the candidate who decided to reject extremism and actually campaign on the basis of moderation. Why not? At least until Mr. Rouhani has a chance to forestall legislation like this and engage in

diplomacy to reach the goals that Mr. ROYCE has identified.

Mr. Rouhani ran on a policy of promise to pursue a path of moderation. He promised to pursue a ''policy of reconciliation and peace.'' Obviously, we don't have rose-colored glasses. We don't know. But why don't we wait and see. Why aren't we at least curious to find out whether or not President Rouhani means that he wants to pursue this course of peace. It is what we want—negotiated settlement. Why are we slapping his hand down when apparently the Iranian people are willing to support a candidate who is willing to extend a hand?

The New York Times agrees. It said:

> While sanctions are an important element of American strategy, piling on more at this time and this moment could harm, rather than advance, the chances for a negotiated deal with Iran.

In fact, Secretary of State John Kerry warned that additional sanctions at this moment might undermine diplomatic efforts.

The fact of the matter is, why do we want to strengthen the hand of extremists who will say to Rouhani, See, you thought you could work with them. We were right all along.

I say they're wrong. I say let's accept the olive branch extended by the Iranian people who selected a more moderate candidate.

In fact, I would like to submit this document into the RECORD. The headline reads:

> Mohammad Javad Zarif, Iran's Nominee for Foreign Minister, Seen as Olive Branch to United States.

Let me also acknowledge and put into the RECORD this letter, dated July 19, by 130 Members of Congress on a bipartisan basis to say President Obama pursued negotiations in this window of time when we have a President who won on the basis of extending a hand for negotiation.

We don't have to do this now. We can do this when we come back after at least Mr. Rouhani is inaugurated into the presidency of Iran.

Mr. Speaker, I reserve the balance of my time, and I do have a number of speakers, when we're ready for that.

[From HuffPost World, July 31, 2013]

MOHAMMAD JAVAD ZARIF, IRAN'S NOMINEE FOR FOREIGN MINISTER, SEEN AS OLIVE BRANCH TO UNITED STATES

(By Marcus George and Paul Taylor)

DUBAI/PARIS, July 29, 2013 (Reuters).—If Iranian President-elect Hassan Rouhani wanted to signal his determination to rebuild relations with the United States and strike a ''grand bargain,'' he could hardly do better than pick Mohammad Javad Zarif as his foreign minister.

Iranian news agencies reported on Monday that Zarif, a former ambassador to the United Nations and Tehran's leading connoisseur of the U.S. political elite, is set to be in the cabinet Rouhani will announce after taking office on Sunday. A source close to Rouhani confirmed Zarif will be nominated as foreign minister.

A fluent English speaker who earned his doctorate at the University of Denver, Zarif has been at the centre of several secret negotiations to try to overcome 35 years of estrangement between Washington and Tehran, diplomats said.

Those talks failed because of deep mistrust on a range of disputes from Iran's secretive nuclear programme and support for anti-Israeli militants to U.S. sanctions and hopes of engineering ''regime change'' in Tehran.

Zarif's elevation, however, suggests the moderate new president is keen to make another try at breaking the deadlock.

''He was always trying to do what was possible to improve relations in a very intelligent, open and clear way,'' said a senior Western diplomat who had repeated dealings with Zarif.

''This is someone who knows the United States very well and with all the frustrations of the past is still someone they know in Washington,'' he said.

The usual caveats about Iran apply: under the Islamic Republic's complex institutional set-up, Supreme Leader Ayatollah Ali Khamenei calls the shots in foreign and security policy and controls the nuclear programme, which Western powers say is aimed at developing atomic weapons.

The foreign minister ranks roughly fourth in the foreign policy pecking order, after Khamenei, the head of the National Security Council, who also serves as Iran's chief nuclear negotiator, and the president.

Nevertheless, assuming he is confirmed by Iran's prickly, conservative-dominated parliament, Zarif's appointment would be a strong gesture of positive intent towards the United States.

The two countries have had no official ties since 1980 after Iranian students occupied the U.S. embassy in Tehran, taking 52 diplomats hostage in protest against Washington's admission of the former Shah after he was toppled by the Islamic revolution.

CONTACT BOOK

Zarif's Washington contact book includes Vice President Joe Biden, Secretary of Defence Chuck Hagel and a who's who of U.S. national security officials on both sides of the aisle.

The soft-spoken career diplomat resigned from the nuclear negotiating team after hardline President Mahmoud Ahmadinejad was elected in 2005.

In 2007, he returned from New York after five years as Iran's permanent representative to the United Nations and found himself out of favour as his country turned its back on the notion of seeking better ties with the West and Ahmadinejad sidelined English-speaking diplomats.

Since then, Zarif has been in a holding pattern, nominally senior adviser to the foreign minister from 2007 to 2010, then from 2011 international director of Islamic Azad University, a network of educational institutions established by ex-president Akbar Hashemi Rafsanjani, his political patron.

Rafsanjani, who is also Rouhani's mentor, has long favoured a pragmatic rapprochement with the United States, but Khamenei has stamped on all such efforts since he succeeded the founder of the Islamic Republic, Ayatollah Ruhollah Khomeini, in 1989.

Dennis Ross, a veteran U.S. diplomat who served as President Barack Obama's top Middle East adviser until 2011, said Zarif had shown a willingness to negotiate in good faith and his appointment would be seen in Washington and Europe as an indication that Rouhani wants to ''do business'' with the West.

But he cautioned that the question remained whether this would translate into an easing of Tehran's resistance to curbing its nuclear drive. ''Zarif is not someone who does favours for the United States,'' Ross said. ''He fits the category of a sign or signal until you see Iran actually doing something.''

Brent Scowcroft, national security adviser to President George H.W. Bush, described Zarif as ''reasonable'' but said much would depend on how much leeway he is given.

Western diplomats said Zarif was a central negotiator in the last major effort to negotiate a ''grand bargain'' between Tehran and Washington that began after the Sept. 11, 2001, attacks on the United States and foundered in mid-2003.

U.S. newspapers published in 2007 the bare text of a draft agreement, put together in secret talks in Paris, Geneva and New York, that would have established negotiations between the two countries on all outstanding issues.

While the draft fell short of an agreement on substance, it noted both sides' expectations on issues such as assurances that Iran's nuclear programme has no military capability, and assurances that the United States would act against anti-government People's Mujahideen activists based in Iraq.

''The texts are authentic,'' said a Western diplomat who was involved in the back-channel talks, confirming that Khamenei had given the green light for negotiations to go ahead.

HOSTAGE NEGOTIATOR

Years earlier, as a junior diplomat Zarif was involved in negotiations to win the release of U.S. hostages held by pro-Iranian gunmen in Lebanon, according to the memoirs of former U.N. envoy Giandomenico Picco. Even though the United States did not make a promised reciprocal goodwill gesture at the time, Zarif remained committed to improving ties.

In Washington, Trita Parsi, president of the pro-dialogue National Iranian American Council, said Zarif has been involved in multiple U.S.-Iranian negotiations, including talks on Afghanistan after the U.S.-led 2001 invasion, and Tehran's 2003 proposal for a ''grand bargain'' with the United States.

''Based on my interviews with him, (Zarif) was involved in the drafting of it,'' Parsi said of that offer of a comprehensive new start, which then President George W. Bush's administration spurned.

Veteran U.S. diplomat James Dobbins, the U.S. point man at a 2001 Bonn conference that formed a new Afghan government after the overthrow of the Taliban, credited Zarif with a pivotal, positive role in the diplomacy—and with a sense of humour.

Dobbins—now the State Department's special envoy for Afghanistan and Pakistan—recalled in 2007 testimony to the U.S. Congress how Zarif, then a deputy foreign minister, persuaded the anti-Taliban Northern Alliance to drop its demand for control of an outsize proportion of Afghan ministries.

The Northern Alliance delegate ''remained obdurate. Finally, Zarif took him aside and whispered to him for a few moments, following which the Northern Alliance envoy returned to the table and said: 'Okay, I agree. The other factions can have two more ministries. And we can create three more, which they can also have.' We had a deal,'' Dobbins recalled.

''Zarif had achieved the final breakthrough without which the (Hamid) Karzai government might never have been formed.''

[From the New York Times, July 26, 2013]

IRAN IS SAID TO WANT DIRECT TALKS WITH U.S. ON NUCLEAR PROGRAM

(By Michael R. Gordon)

WASHINGTON.—Prime Minister Nuri Kamal al-Maliki of Iraq told the Obama administration this month that Iran was interested in direct talks with the United States on Iran's

nuclear program, and said that Iraq was prepared to facilitate the negotiations, Western officials said Thursday.

In a meeting in early July with the American ambassador in Baghdad, Mr. Maliki suggested that he was relaying a message from Iranian officials and asserted that Hassan Rouhani, Iran's incoming president, would be serious about any discussions with the United States, according to accounts of the meeting.

Although Mr. Maliki indicated that he had been in touch with confidants of Iran's supreme leader, Ayatollah Ali Khamenei, he did not disclose precisely whom he was dealing with on the Iranian side. Some Western officials remain uncertain whether Iran's leaders have sought to use Iraq as a conduit or whether the idea is mainly Mr. Maliki's initiative.

State Department officials declined to comment on Mr. Maliki's move or what steps the United States might have taken in response. American officials have said since the beginning of the Obama administration that they would be open to direct talks with Iran.

''Iraq is a partner of the United States and we are in regular conversations with Iraqi officials about a full range of issues of mutual interest, including Iran,'' said Patrick Ventrell, a State Department spokesman. ''As we have repeatedly said, we are open to direct talks with Iran in order to resolve the international community's concerns about Iran's nuclear program.''

Gary Samore, who served as the senior aide on nonproliferation issues at the National Security Council during President Obama's first term in office, said that it was plausible that Iran would use Iraq to send a message about its willingness to discuss nuclear issues.

''The Iranians see Maliki as somebody they have some trust in,'' said Mr. Samore, who is the director of the Belfer Center for Science and International Affairs at Harvard. ''From Maliki's standpoint, it would serve a number of different purposes. He does not want to be squeezed between Washington and Tehran.''

In a separate move on Thursday, the State and Treasury Departments announced that the United States was expanding the list of medical devices, like dialysis machines, that could be sold to Iran without a license.

In a conference call with reporters, David Cohen, the under secretary for terrorism and financial intelligence, said that the move was intended to ''accelerate trade'' in these medical devices and address humanitarian needs in Iran. The announcement was also seen by many observers as a good-will gesture before Mr. Rouhani prepares to take office in Tehran on Aug. 4.

Direct talks have the potential to ratchet down some of the pressure on President Obama over one of his greatest foreign policy challenges, the buildup of Iran's nuclear program.

Mr. Obama has said that he will not permit Iran to have a nuclear weapon and has asserted that the use of military force is an option. Israeli officials have staked out a far tougher position, asserting that Iran should not be allowed to have the ability to build a weapon—and that the United States should do more to convince the Iranians that its threat to use force is credible. Israel has not ruled out military action of its own.

International sanctions have taken a serious toll on the Iranian economy and have helped bring Iran to the negotiating table, but have not yet extracted significant concessions from Iran on its nuclear program. For years, the United States and its partners—Britain, France, Germany, Russia and China—have met on and off with Iranian officials in a dialogue that has become known as the ''P5 plus 1'' talks.

Nonproliferation experts continue to argue that it is difficult to make major headway in such a committeelike forum, and that if progress is to be made, it will have to happen in private one-on-one discussions between Iranian officials and the Obama administration.

Whether Iran is genuinely interested in such talks, however, has been a subject of debate. In 2009, William J. Burns, then the under secretary of state for political affairs, met with Saeed Jalili, the Iranian nuclear negotiator, on the margins of the ''P5 plus 1'' talks. They agreed in principle that a portion of Iran's enriched uranium could be used to make fuel for Tehran's research center, which would preclude that material from being further enriched to make nuclear weapons.

But that deal fell through after Ayatollah Khamenei objected, and there have been no direct talks since. In a meeting this month with Iran's departing president, Mahmoud Ahmadinejad, Ayatollah Khamenei was sharply critical of the American stance.

''The Americans are unreliable and illogical, and are not honest in their approach,'' Ayatollah Khamenei said. But he also said that he did not oppose talks ''on certain issues.''

Even if direct talks are agreed to they are almost certain to be tough.

''The establishment of a bilateral channel is a necessary but not sufficient condition for coming to an agreement,'' Mr. Samore said. ''They want a nuclear weapons capability, and we want to deny them a nuclear weapons capability. Finding a compromise between those two objectives is going to be very difficult.''

Mr. Maliki, Western officials said, is not the only Iraqi politician who has encouraged a dialogue between the United States and Iran. Ammar al-Hakim, the leader of a major Shiite party in Iraq, is also said to have made that point.

During the war in Iraq, Iraqi officials also urged direct dealings between the United States and Iran.

Talks were held in Baghdad, but they were focused on the conflict in Iraq and Iran's support for Shiite militias there—not the nuclear question—and got nowhere.

Mr. Maliki's government appears to have been aligned with Iran on some issues, like its support for President Bashar al-Assad of Syria. Iranian aircraft have ferried huge quantities of arms through Iraqi airspace. Iraqi officials have asserted that they do not have the means to stop the flights, but Mr. Maliki has also been concerned that Mr. Assad's fall will lead to an escalation of Sunni challenges to his government in Iraq.

American officials have repeatedly said that Mr. Maliki is not a pawn of Iran and that the United States should try to expand its influence in Iraq, including by selling arms.

CONGRESS OF THE UNITED STATES,
Washington, DC, July 19, 2013.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR PRESIDENT OBAMA: As Members of Congress who share your unequivocal commitment to preventing a nuclear-armed Iran, we urge you to pursue the potential opportunity presented by Iran's recent presidential election by reinvigorating U.S. efforts to secure a negotiated nuclear agreement.

As you know, on June 14 the Iranian people elected Hassan Rouhani president with over 50 percent of the vote in the first round, overcoming repression and intimidation by the Iranian government to cast their ballots in favor of reform. Dr. Rouhani campaigned on the promise to ''pursue a policy of reconciliation and peace'' and has since promised ''constructive interaction with the outside world.'' As Iran's former lead nuclear negotiator, he has also publicly expressed the view that obtaining a nuclear weapon would run counter to Iran's strategic interests and has been critical of the nuclear ''extremism'' of outgoing President Mahmoud Ahmadinejad.

We are mindful of the limitations of the Iranian presidency within the country's political system, of the fact that previous Iranian presidents elected on platforms of moderation have failed to deliver on promised reforms, and of the mixed signals that Dr. Rouhani himself has sent regarding Iran's nuclear ambitions. It remains to be seen whether his election will indeed bring significant change with regard to Iran's relations with the outside world. His government's actions will certainly speak louder than his words.

Even so, we believe it would be a mistake not to test whether Dr. Rouhani's election represents a real opportunity for progress toward a verifiable, enforceable agreement on Iran's nuclear program that ensures the country does not acquire a nuclear weapon. In order to test this proposition, it will be prudent for the United States to utilize all diplomatic tools to reinvigorate ongoing nuclear talks. In addition, bilateral and multilateral sanctions must be calibrated in such a way that they induce significant and verifiable concessions from Iran at the negotiating table in exchange for their potential relaxation.

We must also be careful not to preempt this potential opportunity by engaging in actions that delegitimize the newly elected president and weaken his standing relative to hardliners within the regime who oppose his professed ''policy of reconciliation and peace.'' Likewise, it will be critical for the United States to continue its efforts to foster unprecedented international cooperation on this issue so that the international community remains united in its opposition to Iran obtaining a nuclear weapon.

We look forward to working with your Administration on this important issue in the months ahead.

Sincerely,

CHARLES DENT,
DAVID PRICE,
Members of Congress.

LIST OF COSIGNERS (131)

Dent, Charles (PA–15); Price, David (NC–04); Barber, Ron (AZ–02); Bass, Karen (CA–37); Becerra, Xavier (CA–34); Bera, Ami (CA–07); Bishop, Sanford (GA–02); Bishop, Tim (NY–01); Blumenauer, Earl (OR–03); Bonamici, Suzanne (OR–01); Bordallo, Madeleine (GU); Braley, Bruce (IA–01); Bustos, Cheri (IL–17); Campbell, John (CA–45); Capps, Lois (CA–24).

Capuano, Michael (MA–07); Cárdenas, Tony (CA–29); Carson, André (IN–07); Cartwright, Matthew (PA–17); Christensen, Donna (VI); Clay, William Lacy (MO–01); Cleaver, Emanuel (MO–05); Clyburn, James (SC–06); Coble, Howard (NC–06); Cohen, Steve (TN–09); Cole, Tom (OK–04); Connolly, Gerald (VA–11); Conyers, John (MI–13); Courtney, Joe (CT–02); Cuellar, Henry (TX–28).

Cummings, Elijah (MD–07); Davis, Danny (IL–07); DeFazio, Peter (OR–04); DeGette, Diana (CO–01); DeLauro, Rosa (CT–03); DelBene, Suzan (WA–01); Dingell, John (MI–12); Doggett, Lloyd (TX–35); Doyle, Michael (PA–14); Duckworth, Tammy (IL–08); Duffy, Sean (WI–07); Duncan, Jr., John (TN–02); Edwards, Donna (MD–04); Ellison, Keith (MN–05); Enyart, William (IL–12).

Eshoo, Anna (CA–18); Esty, Elizabeth (CT–05); Farr, Sam (CA–20); Fattah, Chaka (PA–02); Fitzpatrick, Michael (PA–08); Fortenberry, Jeff (NE–01); Foster, Bill (IL–11);

Garamendi, John (CA–03); Grijalva, Raúl (AZ–03); Grimm, Michael (NY–11); Gutiérrez, Luis (IL–04); Hanna, Richard (NY–22); Hastings, Alcee (FL–20); Heck, Denny (WA–10); Higgins, Brian (NY–26).

Himes, James (CT–04); Holt, Rush (NJ–12); Honda, Michael (CA–17); Jackson Lee, Sheila (TX–18); Johnson, Eddie B. (TX–30); Johnson, Hank (GA–04); Jones, Walter (NC–03); Kaptur, Marcy (OH–09); Kelly, Robin (IL–02); Kind, Ron (WI–03); Kuster, Ann (NH–02); Larsen, Rick (WA–02); Larson, John (CT–01); Lee, Barbara (CA–13); Lewis, John (GA–05).

Loebsack, David (IA–02); Lofgren, Zoe (CA–19); Lújan, Ben Ray (NM–03); Lujan Grisham, Michelle (NM–01); Matheson, Jim (UT–04); McCollum, Betty (MN–04); McDermott, Jim (WA–07); McGovern, James P. (MA–02); Meeks, Gregory W. (NY–05); Miller, George (CA–11); Moore, Gwen (WI–04); Moran, James P. (VA–08); Napolitano, Grace F. (CA–32); Neal, Richard E. (MA–01); Nolan, Richard (MN–08).

Norton, Eleanor Holmes (DC); Nugent, Richard B. (FL–11); O'Rourke, Beto (TX–16); Pascrell, Bill, Jr. (NJ–09); Pastor, Ed (AZ–07); Payne, Donald M., Jr. (NJ–10); Perlmutter, Ed (CO–07); Peters, Scott H. (CA–52); Peterson, Collin C. (MN–07); Petri, Thomas E. (WI–06); Pingree, Chellie (ME–01); Pocan, Mark (WI–02); Polis, Jared (CO–02); Rahall, Nick J., II (WV–03); Rangel, Charles B. (NY–13).

Roybal-Allard, Lucille (CA–40); Ruiz, Raul (CA–36); Runyan, Jon (NJ–03); Rush, Bobby L. (IL–01); Ryan, Tim (OH–13); Sablan, Gregorio Kilili Camacho (MP); Schakowsky, Janice D. (IL–09); Scott, Robert C. ''Bobby'' (VA–03); Serrano, José E. (NY–15); Shea-Porter, Carol (NH–01); Sinema, Kyrsten (AZ–09); Slaughter, Louise McIntosh (NY–25).

Speier, Jackie (CA–14); Takano, Mark (CA–41); Thompson, Glenn (PA–05); Thompson, Mike (CA–05); Tiberi, Patrick (OH–12); Tierney, John (MA–06); Tonko, Paul (NY–20); Tsongas, Niki (MA–03); Visclosky, Peter (IN–01); Walz, Timothy (MN–01); Waters, Maxine (CA–43); Welch, Peter (VT-At Large); Whitfield, Ed (KY–01); Yarmuth, John (KY–03).

Mr. ENGEL. Mr. Speaker, I yield myself 3 minutes.

I rise in strong support of H.R. 850, the Nuclear Iran Prevention Act of 2013.

It's been a pleasure working with Chairman ROYCE to craft this bipartisan legislation, which, by the way, passed unanimously in the Foreign Affairs Committee. Every Republican, every Democrat voted ''yes'' on this. It now has more than 370 cosponsors. We share the goal of preventing a nuclear-capable Iran, and I could not ask for a better partner than Mr. ROYCE in this effort.

Mr. Speaker, I think all of us agree that a nuclear-capable Iran would pose a grave threat to the U.S., a threat to our allies in the region, and a threat to the future of the global nonproliferation regime. All of us are aware that Iran has violated numerous U.N. Security Council resolutions and repeatedly blocked IAEA inspectors seeking to investigate its nuclear program.

After many years of deceit and stonewalling by the Iranian regime, I continue to hold out hope that we can achieve a peaceful resolution of the Iranian nuclear crisis through diplomatic means. But time is growing short. According to the IAEA, Iran is installing advanced centrifuges to enrich more uranium and continues to build a heavy water reactor that could produce plutonium.

We must not allow the Iranians to play the same old game, engaging in endless negotiations with no results while continuing to advance the nuclear program. That's why we must continue to pursue a two-track approach to Iran, one that incorporates both pressure and negotiations.

The legislation before us today will significantly ratchet up the pressure and hopefully give our diplomats the leverage they need to persuade Iran that its only viable option is to end its pursuit of nuclear weapons.

Among other things, this bill seeks to cut Iran's oil exports by another 1 million barrels a day, a reduction of two-thirds from current levels. It also strengthens existing sanctions by authorizing the President to restrict significant commercial trade with Iran.

In addition, the bill seeks to deny the Iranian regime hard currency by enhancing efforts to cut off Iran's access to euros.

Finally, the legislation imposes new sanctions against Iranian shipping ports and expands existing sanctions against Iranian human rights violators.

Mr. Speaker, some of my colleagues argue that we should delay sanctions until after the new President of Iran takes office. I respectfully disagree. I know they share the goal of preventing a nuclear-capable Iran, but I believe we should take a different approach.

Our efforts to impose new sanctions should not be based on the Iranian political calendar. In my view, the paramount consideration should be the Iranian nuclear clock, the nuclear calendar, the amount of time it will take Iran to achieve a nuclear weapons capability.

I have no reason to believe that the results of the recent Iranian election will fundamentally alter Iran's current course. The unelected supreme leader, the Ayatollah, remains the one true decision-maker at the pinnacle of the regime. And president-elect Rouhani, who was directly involved in efforts to deceive the international community when he served as Iran's chief nuclear negotiator, made clear during the campaign that he supports Iran's nuclear ambitions.

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

Mr. ENGEL. Mr. Speaker, I yield myself an additional 30 seconds.

If Rouhani truly has the willing authority to make a bold gesture on Iran's nuclear program, like suspending enrichment, he has a small window of opportunity before this bill becomes law. I think all of us would welcome such a gesture, but I'm not holding my breath.

In closing, I would like to reiterate that by strengthening sanctions we are not calling for an end of diplomacy. After many years of fruitless negotiations, it is clear that talks will only succeed if the regime feels pressure to change course. That is what we are trying to accomplish with this legislation today.

I look forward to working with Chairman ROYCE to ensure that the strongest possible sanctions are enacted into law, and I reserve the balance of my time.

Mr. ELLISON. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I rise in reluctant opposition to this measure before us today.

I have supported the repeated rounds of sanctions that Congress has already enacted. I have supported them because of the threat of a nuclear-armed Iran and because of the intransigence of the Iranian Government in defiance of the international community.

These sanctions have brought the Iranian economy to its knees, they have yet to produce meaningful concessions by the Iranian Government. I have thus remained open to the possibility of additional sanctions as part of a broader strategy to induce the Iranian Government to change its course.

But the bill before us today could not come at a worse time. In 3 days, Iran will inaugurate a new President, Hassan Rouhani, elected on promises of moderation and openness despite repression and intimidation by the Iranian regime, trying to deny him that election.

Since his election, Dr. Rouhani has made repeated overtures to the international community, signaling his intent to resume the stalled P–5+1 nuclear talks upon taking office and promising greater transparency and confidence-building measures. He reportedly intends to appoint as his foreign minister a seasoned diplomat who favors closer ties with the West.

Let us be clear: we do not know whether Rouhani truly intends to follow through on these promises. We don't know if he'll be able to overcome the resistance of Iran's hardliners. We do know that history counsels us to be cautious about the prospects for meaningful change in Iran, and Rouhani's actions will surely speak louder than his words.

But to rush through a new round of sanctions before the new President has even taken office could slam the window of opportunity shut before we even have a chance to test whether it is genuine.

A recent letter to the President signed by a group of respected former diplomats and military officials—including Ambassador Tom Pickering and the former commander of CENTCOM, General Joseph Hoar—has warned that further sanctions ''could empower hardliners, in the Iranian Government, who are opposed to nuclear concessions, at the expense of those seeking to shift policy in a more moderate direction.''

Moreover, by removing the President's authority to relax sanctions on countries that are cooperating with

our strategy toward Iran, this bill risks shattering the unprecedented international coalition which we have worked so hard to build, thus making sanctions less effective than they are at this moment.

Some argue that we should not be concerned about the House passing this bill, since it will be some time before the Senate follows with an improved bill, and longer still before the new sanctions take effect. I must say, that is not a very compelling argument for rushing this bill to the floor right now. Why not act when we can assess the diplomatic prospects more accurately?

Mr. Speaker, I will take a back seat to no one when it comes to my concern about the threat posed by a nuclear Iran to our ally Israel, to the broader Middle East, and to the United States.

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

Mr. ELLISON. Mr. Speaker, I yield an additional minute to the gentleman from North Carolina.

Mr. PRICE of North Carolina. I will yield to no one in my concerns about these matters. I believe we must redouble our efforts to secure an enforceable agreement that ensures Iran does not acquire a nuclear weapon.

But sanctions alone are not a strategy. In order to be effective, they must be integrated into a broader strategy that brings all other elements of American power to bear on the challenge. The administration is working hard to advance such a strategy, with unprecedented cooperation from our international partners.

If the strategy fails to induce the new Iranian Government to change its course, then new sanctions may, indeed, be warranted. But to pass them now only undercuts our Nation's strategic objectives.

I urge my colleagues to oppose this ill-timed bill.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the esteemed majority leader.

Mr. CANTOR. Mr. Speaker, I rise today in support of the Nuclear Iran Prevention Act.

I want to commend the gentleman from California, chairman of the Foreign Affairs Committee, in his leadership in bringing this bill to the floor. I also would like to commend Congressman ENGEL for his leadership in working through this issue bringing forward this piece of legislation.

The authoritarian regime in Iran is a brutal theocracy that suppresses dissent at home and sponsors terrorism and chaos abroad. For years, our State Department has listed Iran as the world's leading state sponsor of terrorism, and many Americans have lost their lives at the hands of Iranian-backed killers. In a bid to establish reasonable dominance, Iran foments instability in neighboring countries and is a co-belligerent in Bashar Assad's ruthless war against the Syrian people. Despite rhetoric that may lead some to a contrary conclusion, this is the nature of a regime that continues its headlong effort to acquire nuclear weapons capability.

Like all Americans, I want to see Iran abandon its nuclear aspirations through peaceful negotiations, but its leaders must understand the path they are on now will only lead to more condemnation and pressure.

Considering that Iran continues to flagrantly violate numerous U.N. Security Council resolutions that call for the suspension of its nuclear enrichment program, while denying inspectors access to suspected nuclear sites, it is clear that Iran has negotiated again and again in bad faith. America's policies must be based on facts and not some hope about a new government perhaps in Iran that somehow will change the nature of the clerical regime in Tehran. We must respond to Iran's policies and behavior, not to its rhetoric.

This act will strengthen the sanctions already in place and provide the President with new economic tools to pressure Iran to change course before it is too late.

□ 1715

Strengthening these measures will help our diplomatic efforts to encourage Tehran to become a responsible member of the international community and, once and for all, to abandon its pursuit of nuclear weapons.

Again, I want to thank the gentleman from California, the gentleman from New York, and the rest of the Foreign Affairs Committee for their hard work on this issue, and I urge my colleagues to support this legislation.

Mr. ELLISON. May I inquire as to the time we have remaining.

The SPEAKER pro tempore. The gentleman from Minnesota has 12½ minutes remaining, and the gentleman from New York has 6½ minutes remaining, and the gentleman from California has 5 minutes remaining.

Mr. ELLISON. I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. I thank the gentleman from Minnesota, my friend.

Mr. Speaker, 29 prominent policymakers and experts who understand Iran and international relations, which includes former CENTCOM Commander, Ambassador Tom Pickering, stated in a letter to President Obama just 2 weeks ago: ''No further sanctions should be imposed or considered at this time.''

There were 131 bipartisan Representatives who also urged the President to test the opportunity presented by Iran's recent election to avoid actions that could delegitimize the democratic election that just took place in Iran, because the fact is that the Iranian people rejected the very cleric of government that we have all opposed that has been defined by hostile actions against the United States. In fact, when Mr. Rouhani was running, the people of Iran knew he was a former nuclear negotiator, and he promised greater nuclear transparency and to pursue, in his words, peace and reconciliation with the outside world.

Isn't that just what we are looking for?

I can't imagine we are looking for another war of choice, that we want to escalate the rhetoric. This is the best opportunity we have had in at least 8 years, if not more. Why throw that away?

Now, some will say, ''Well, what we do in the House doesn't really matter. The Senate isn't going to do anything,'' but that's a nuance. We may understand why the House is acting, but the rest of the world doesn't likely understand what's going on here.

The fact is that this bill empowers the very hard-liners who are the problem. The Iranian people are extraordinarily diverse. In fact, they used to be America's best friend in the Muslim world, and they just rejected a government that represented all of the things we oppose, and they did it democratically. I can't imagine that we have to operate in such a vacuum that we are going to continue to impose sanctions, that we are going to take away the President's ability to exercise leverage in those negotiations, and that, in fact, we are even going to lay it on further by taking away the exemption for necessary food and medicine.

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

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

Mr. MORAN. This is destructive because it punishes the Iranian people and empowers the hard-liners. We have no problem with punishing the clerical government and many of the people in the military. They don't represent our values, but we want the Iranian people to seize democracy, to represent our values, to enter into negotiations. We've got to be able to bring about a more peaceful and productive world.

So I would strongly urge this House to hold off. Let the new President at least be inaugurated. Let him at least take over. Let's see what we can do. Let's not act so prematurely and destructively.

Mr. ROYCE. At this time, Mr. Speaker, I yield 1 minute to the Speaker of the House, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague from California—the chairman of the committee—and his whole committee for their hard work on this issue, and a special thanks to the chairman emeritus of the committee, my colleague from Florida (Ms. ROS-LEHTINEN), on whose efforts we are building today.

I also want to thank the committee chairs and the members who have worked so hard to get this bill to the floor today.

Mr. Speaker, I rise in support of H.R. 850, the Nuclear Iran Prevention Act. This legislation recognizes a stark

truth, and that is that Iran is a global menace, and this bill empowers the President to act decisively to address it.

We know Iran is the world's most aggressive sponsor of terrorism, extending now into Syria, Libya, Lebanon, even into our hemisphere. We know that Iran is attempting to build an illicit nuclear weapons capability in willful defiance of both the U.N. Security Council and the IAEA, and we know the Supreme Leader and the Ayatollahs remain committed to the destruction of Israel, one of our dearest allies.

The United States, especially its Congress, has a duty to respond to Iran's actions, not to its rhetoric, so this bill seeks to reduce Iran's oil exports by an additional 1 million barrels a day, which would be a two-thirds reduction from its current levels. We are also looking to target human rights violators, to close loopholes on access to hard foreign currency, and we will give the President the authority to restrict significant commercial trade with Iran. These strong and targeted sanctions will ensure that the administration has both the political and the economic tools to deal with this regime.

Because the American people are not interested in allowing Iran another shot at running out the clock on negotiations while it marches toward developing a breakout of nuclear capability, I will cast my vote for this measure, and I would urge all of my House colleagues to join me.

Mr. ENGEL. It is my pleasure now to yield 1½ minutes to the minority whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

I rise in support of this legislation, but I also thank my friend KEITH ELLISON for his perspective on this, and I want to speak to that as well. I want to thank Chairman ROYCE and Ranking Member ENGEL for their leadership on this bill.

Mr. Speaker, I believe the most dangerous threat to peace and stability in the Middle East continues to be that posed by Iran's pursuit of nuclear weapons, which would launch this turbulent region into a nuclear arms race that no one can afford to risk, including our troops in the region. Time and again, Security Council resolutions after Security Council resolutions, Iran has refused to heed the international community's warnings, and it has, instead, continued along a path toward the bomb, choosing isolation over integration.

We are here today to talk about how to stop Iran's pursuit. As a government, we have many tools to use. Diplomacy is one and diplomacy must continue. Indeed, many feel the time is right to test President-elect Rouhani's sincerity, and I agree, but he must expect us to turn his positive talk of a policy of reconciliation and peace into action. We should welcome and pursue his willingness to come to the table to negotiate. We need to test that, but delay has been too long for us not to pursue concurrent approaches. That tool of economic pressure, which is working, should also be pursued additionally. That is why I support this resolution.

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

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

Mr. HOYER. I thank the gentleman for yielding. I thank him for his thoughtfulness.

Hopefully, negotiations will prove successful and such pressure can be either moderated or removed. President-elect Rouhani campaigned on a promise to ease the burden of sanctions on the Iranian people, and he won. We would welcome a second victory for him and the United Nations in seeing that objective of denuclearization realized.

I support today's bill because I believe a robust sanctions regime could help encourage Iran to abandon its pursuit of the bomb and to end its support for terrorist groups and human rights abuses. President-elect Rouhani is uniquely positioned, I believe, to show leadership on this and achieve early success in his new administration.

However, our skepticism about the Iranian leadership's action in the past has been more than justified, but we must nevertheless continue to work for a resolution of this challenging issue. Engaging President-elect Rouhani in our quest for early resolution is appropriate, but these sanctions are also appropriate. Therefore, I rise in their support.

Mr. ENGEL. Mr. Speaker, at this time, I yield 1 minute to the gentleman from California (Mr. SHERMAN), the ranking member of the Foreign Affairs Subcommittee on Terrorism.

Mr. SHERMAN. I thank the gentleman for yielding.

Mr. Speaker, in February, I joined with our ranking member and our chairman and others in introducing this legislation, which passed our committee unanimously.

Congress needs to act now because, while we go on summer break, new, faster centrifuges will be spinning 24–7-365. We are seeing Iran, as we've seen in hearings before our committee, evade the current sanctions. So, if we're going to keep the sanctions in force, we need this legislation to plug the loopholes that they are exploiting.

Two facts remain unchanged by the Iranian elections: first, their program to create nuclear weapons continues; and second, the supreme leader, not the newly elected President, is making the decisions.

Our committee adopted many amendments unanimously, including four of mine, and two I'd like to mention: one provides sanctions for those who sell uranium mining equipment to Iran, and another imposes sanctions on those who sell them dissident-suppressing technology.

Those who oppose this bill need to come to the floor and say why Iran needs uranium mining equipment and dissident-suppressing technology. Let's pass this bill.

Mr. ELLISON. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Thank you.

Mr. Speaker, we have heard on the floor that we shouldn't base our diplomacy on the Iranian political calendar—I agree—but we shouldn't base our diplomacy and our foreign policy based on our political calendar.

Recently, we enacted the most effective, crippling economic sanctions against Iran—ever—and it was done by the hard work of the administration, supported by Congress, to be able to mobilize an unprecedented coalition of people who agreed with us that they wanted to prevent Iran from having nuclear weapons and sending that signal.

But sadly, you can forget about President-elect Rouhani. This weakens President Obama. The optics now are to pull the rug out from underneath the newly elected moderate candidate. He's not my guy, he's not yours, but of the choices, it was a signal by the Iranian people.

Think about the future tools. Are you really going to be able to ratchet up these sanctions much more dramatically? Do you expect China and Japan are going to follow that path? And, if they work, what about the dislocations to the American economy and the global economy in moving this oil off the market? I think people ought to consider that. Ultimately, the only solution is a diplomatic solution to try and work this through. We're not going to go to war and nuclear bomb them. We are not going to occupy Iran.

It's ironic. Until recently—maybe still—Iran is the only country in the Middle East that had a positive view of Americans despite the fact that we helped the British overthrow their popularly elected President, Mossadegh, in 1953 and install the Shah as a dictator to rule over them.

□ 1730

I think there is a possibility that that recent election makes a difference in Iran. I hope it does. But one way to guarantee that it doesn't is to tell the Iranian people, We don't care what you do. We're going to rachet up the sanctions. We're going to undercut the new guy. We're going to tell you that we're just going to go down this path. It ought to be based on facts, on reason. Let these sanctions work. Don't undercut our President and the ability to be flexible if there is some daylight. Don't poke the Iranian people in the eye and ignore the sorry history we've had of fumbling the relationship with that country.

Mr. ENGEL. Mr. Speaker, it is now my pleasure to yield 1 minute to the Democratic leader, Ms. PELOSI.

Ms. PELOSI. I thank the gentleman for yielding, and I thank you for the time and for your leadership as the ranking member on the Foreign Affairs Committee.

Mr. Speaker, I rise today to reiterate my strong belief that one of the basic objectives of U.S. foreign policy is to build a world free of nuclear weapons. I applauded President Jimmy Carter at his inauguration in 1977 on a cold January day; I saluted President Reagan when he made his visit to Reykjavik, Iceland; and the commitment that many of our Presidents have made, including President Obama on this score.

One of the pillars of our foreign policy must be to end the proliferation of weapons of mass destruction; that is, to get rid of them. To meet that task today, our actions must be clear and our commitment must be unwavering. It must be to continue this policy of the United States to prevent any country from developing a nuclear weapons capability. That is why I offer my support for this bill today, the Nuclear Iran Prevention Act.

This legislation recognizes that an Iran with a nuclear weapon would be an urgent threat to regional security and to global security, and, therefore, to the security of the United States of America. This measure builds on the progress made in 2010 when we enacted the Comprehensive Iran Sanctions, Accountability, and Divestment Act. That law imposed sanctions to companies that sell Iran technology, services, know-how, and materials for its energy sector. It was the strongest Iran sanctions legislation ever passed by the Congress, but we must do more.

With President Obama's strong, clear, and effective leadership, with broad bipartisan backing for a comprehensive strategy to halt Iran's nuclear program, we are seeing the results of the actions we have taken. More and more, Iran is being cut off from the financial system. Iran's oil is coming off the market. Iran's partners are cutting off ties of trade, business, and commerce. That's the way I think we should get this done, with economic sanctions.

In short, Iran is feeling the bite of our sanctions, but we must keep the pressure on. Iran's nuclear pursuits continue. Iran's leaders refuse to change their approach and their policies. Iran's neighbors still feel the threat of the regime's declarations and actions. So our message must remain firm: Iran must suspend uranium enrichment, return to the negotiating table, and abandon its reckless pursuit of nuclear weapons.

Now I appreciate and I have listened carefully and have the highest respect for Mr. MCGOVERN and others, Mr. ELLISON, who are opposing the resolution and have a different idea. I think as we weigh the equities, as they say, with all due respect to that approach, which I think is a reasonable one if we were dealing with a reasonable country with a reasonable leadership, but we are not.

I know that the proximity to Israel is a cause for concern for Israel, our partner in the Middle East, and a concern for those of us who value the Israel-U.S. relationship. Israel has proximity, but we all have the problem. If Iran were to go farther in the development of a nuclear weapon, who else would want one in the region? What message does that send about our resolve to arrive at a world free of nuclear weapons?

Anyway, I hope, as our colleagues say, a new regime is going to do all these things. I happen to think that no matter who is in power in Iran, that they probably would not abandon a nuclear program, calling it one for domestic and civilian use. That may be true. I hope it is. But I do think it is really important for us, because we have to make this opportunity—I hope that the inauguration of a new President, talks with the U.S. and the European allies and all the rest, can bear fruit. We can only hope that those reports prove true. We hope that progress is made toward an agreement that puts an end to Iran's pursuit of nuclear weapons and advances the cause of peace and security in the Middle East and around the world. Until that day comes, the Congress must continue to apply pressure. We must pursue all avenues of diplomacy and international leadership.

Again, what are the pillars of our foreign policy? To promote our economy, the creation of jobs by promoting exports—that's on the economic side; export our values, the commitment to freedom and democracy throughout the world. What does that mean? To protect the American people and our national security. An important part of that pillar of our foreign policy is to rid the world of weapons of mass destruction and make sure that we're not adding countries to that club. For that reason, we must prevent a nuclear armed Iran. Let's do it diplomatically. Let's do it with economic sanctions. Let's do it by encouraging dialogue, engagement, and the rest. But let's do that engagement from strength.

I urge a ''yes'' vote on the resolution.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentlelady from Florida (Ms. ROS-LEHTINEN), the chairman emeritus of the Foreign Affairs Committee and the author of the previous Iran sanctions legislation.

Ms. ROS-LEHTINEN. I thank the gentleman.

Mr. Speaker, a nuclear Iran is one of our biggest national security threats and the number one existential threat to our ally, the democratic Jewish State of Israel. We cannot and must not allow Iran, who is a designated state sponsor of terrorism, to reach nuclear breakout capability.

The Obama administration should not be mistaken. The Iranian regime does not want peace. It still wants to wipe Israel off the map. Iran may be able to process low-enriched uranium for a nuclear weapon by next year.

Iran has agreed to offer Syria a $3.6 billion credit facility to buy oil products to help keep Assad's murderous regime afloat. Iran supports and fights alongside Assad's forces, brutally slaughtering thousands of Syrians. Rouhani has no intention of changing Iran's dangerous path, and the ultimate decisionmaker in this oppressive regime remains the Ayatollah Khamenei, who has a blatant hatred of us and our allies.

This bill includes my amendment that would eliminate the authority to waive sanctions against persons who are guilty of the most egregious activities in direct support of the Iranian regime's nuclear program.

This is a commonsense provision. This is a strong bill, and I urge all of my colleagues to fully support its passage

Mr. ELLISON. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I have great respect for Chairman ROYCE and Ranking Member ENGEL and incredible respect for my Democratic leaders and the Republican leaders who have spoken in favor of this bill. But I must rise in opposition to H.R. 850.

This Sunday on August 4, Iran will inaugurate a new President, Hassan Rouhani. It is a moment that allows President Obama, Secretary of State Kerry, Secretary of Defense Hagel, and the international community an opportunity to reengage with Iran on key issues of concern, most importantly the development of Iran's capacity to develop and launch a nuclear weapon.

This may be a very small window of opportunity for a fresh start on dialogue and action on the future of a nuclear Iran. It may be short-lived, depending on how Iran's new President views this moment. But it is a time when I, for one, want to support the White House, the State Department, and the Pentagon's ability to move forward our relationship and dialogue with Iran on this most serious matter.

It is not the moment for Congress to increase and expand the level of U.S. sanctions against Iran. We have plenty of sanctions right now against Iran. If for some reason we need to increase even further the pressure against Iran and its new President, then we have the time to do so. It does not need to be done before the new Iranian President even takes office. We have time to weigh his sincerity and, more importantly, his actions to improve Iran's relations with the international community in the weeks and months to come. If he does not, if Iran remains intransigent and determined to develop a nuclear weapon, then the current onerous regimen of sanctions can be increased. But now is not the time to undermine U.S. diplomacy before it even has a chance to take shape.

Like all my House colleagues on both sides of the aisle, I'm skeptical that President-elect Rouhani will change the course of Iran's nuclear development, but I am willing to give him a chance. I'm willing to give Secretary

Kerry a chance. If nothing changes, then we can revisit this bill or others at a later date. But not now.

I urge all of my colleagues to join me and vote against the untimely consideration of this bill.

Mr. ENGEL. At this time, I yield to the gentleman from Florida (Mr. HASTINGS) for the purpose of making a unanimous consent request.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman, and I rise in support of the measure that is being offered.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH), the chairman of the Subcommittee on Africa, Global Health, and Global Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, first of all, let me thank Chairman ROYCE for offering this urgent and necessary bill, and ELIOT ENGEL for his good cooperation on this important bill.

The Iranian government is estimated to be a little more than a year away from developing nuclear weapons, an unprecedented and absolutely unacceptable threat. Iran's repeated threats to annihilate Israel are unconscionable and constitute a direct and public incitement to commit genocide in violation of article III of the 1948 Genocide Convention. Iran's Supreme Leader Khamenei speaks of Israel as a cancerous tumor, calls for the annihilation and destruction of the Jewish state, and the leveling of Tel Aviv and Haifa. These are not idle threats. President-elect Rouhani, the past master of using negotiations as a cover to move Iran's nuclear program forward, is now being presented as a moderate, yet last year referred to Israel as the ''Great Zionist Satan.''

Mr. Speaker, this bill dramatically ramps up sanctions pushed so effectively by Congresswoman ROS-LEHTINEN last Congress not only to pressure Iran to negotiate, but also to mitigate Iran's emerging capability to launch the genocidal war against Israel it has been threatening for years.

This is a bipartisan bill, and it sends a clear, unmistakable message to Iran that we mean business. Those loopholes need to be closed, and Iran needs to be told that we want the sanctions to work. This tightens those loopholes and moves us in that direction.

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Mr. ELLISON. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT)

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

Mr. MCDERMOTT. Mr. Speaker, I am standing here asking: What's the rush? The Iranian President is being sworn in in 4 days. For the first time in years, there is a moderate who's been elected as head of Iran, who promises us progress on the issues that are of most concern to us.

I'm not a blind optimist, and I have no illusions about the nature of Iran's Government. I understand that one election won't ensure us peace, but it could mean change, and we need to see what it looks like. Experts and former military officers, including the Commander in Chief of Central Command, warn that more sanctions right now will ''undercut the new President and his pledged plan of moderation.'' It gives ammunition to the hardliners who will operate against him. So the timing of this bill could not be worse from a foreign policy perspective.

In addition, Members have not had a chance to fully review the bill, which is significantly different than when it was marked up coming out of the Foreign Affairs Committee. The marked-up version became public only a few days ago, and I know that many Members who cosponsored the original bill are not aware of the changes made in it. For these reasons, we sent a letter to our leadership asking, along with 15 other Members, urging them to delay consideration until after September. We could come back after our vacation and deal with this if it's really needed. It doesn't have to happen now, except because we're going out on Friday.

Passing this legislation would support the hardliners' claims that we have no intention of negotiating; we hit the President before he even sits down in the chair. It's a dangerous sign to send and it limits our ability to find a diplomatic solution on nuclear arms in Iran.

There is no public support in this country for another war. We've seen this movie before. We put sanctions on Iraq. I was here when they put them on. I saw us squeeze them for 10 years. The World Health Organization said 500,000 Iraqi kids died because we cut off medicine and food and other essentials to the Iraq community. Did it end in a change? No. We went to war with them. And if you think that this is going to squeeze and bring us to war, and you think that what happened in Iraq is going to happen here, remember we're 11 years in Iraq. And we do not have a stable democracy today. We have a government that's about to collapse.

What we think we can do by squeezing people—and you're squeezing Iranian children today. Iranians cannot buy medicine on the world market and pay because we have cut off all of the banking connections everywhere so that there's no way for them to slip money through the banking system to pay for medicine for kids.

We should delay this vote. Vote ''no.''

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

Mr. ENGEL. I yield 30 seconds to the gentleman from Illinois (Mr. SCHNEIDER), a member of the Foreign Affairs Committee.

Mr. SCHNEIDER. I want to thank the ranking member.

Mr. Speaker, preventing Iran from acquiring a nuclear weapon through sanctions and diplomatic pressure is one of the paramount issues of our time, and I am appreciative that today we will continue this important work to contain the threat.

The bill before us seeks to expand the instruments available to the administration in implementing targeted sanctions against the Iranian Government, while at the same time providing flexibility to relieve undue burden on the population of Iran. I want to thank the chairman and the ranking member and the committee for working diligently on this bill, and I want to thank the members of the committee for joining me in support of this bill.

Mr. ROYCE. I yield 30 seconds to the gentleman from Texas (Mr. POE), the chairman of the Subcommittee on Terrorism and Nonproliferation.

Mr. POE of Texas. This new so-called President of Iran is no different than Ahmadinejad. Rouhani is no moderate; he's just slick. He has lied to the United States in the past. Don't be deceived; he is not even in charge of Iran.

The Ayatollah is in charge, and the Ayatollah picked all of the candidates running for president. The Ayatollah is still running the shots and is determined to get nuclear weapons and eliminate Israel and then the United States. And then what? Are we going to say, Oops, we made a mistake.

We need these sanctions. We need a regime change in Iran, a peaceful one with the Iranian people. This Ayatollah has Hezbollah running all over the world causing terror, including killing his own people in Camp Liberty. We need to pass this legislation.

Mr. ENGEL. I am pleased to yield 30 seconds to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, with respect to all of my colleagues and the various positions that are being put forth, I support H.R. 850, a copy of which I happen to have in my hand; and I would point to page 38, line 11, which deals with exceptions for the sale of agricultural commodities, food, medicine, and medical devices. I wanted to bring some clarity to this issue.

With global security at risk, I don't think that we can take the risk. I do believe that we can proceed with diplomacy and sanctions at the same time. I support H.R. 850.

Mr. ROYCE. Mr. Speaker, I yield 30 seconds to the gentleman from Arkansas (Mr. COTTON), who helped forge this legislation, H.R. 850.

Mr. COTTON. Mr. Speaker, Hassan Rouhani is no moderate. He was a devoted follower of the 1979 revolutionary cabal in Iran. He led the 1999 crackdown on students in Iran. He's bragged about deceiving Western nuclear inspectors. He's called Israel a Zionist Satan. He's not even a President-elect because he was chosen in a sham democracy and a sham election.

Iran isn't looking for a chance to get to ''yes'' in negotiations. They are looking to give you a pretext to get to ''no'' on this legislation. Stand strong and vote ''yes'' to sanction Iran to stop their nuclear weapons capabilities.

Mr. ENGEL. At this time I yield 1½ minutes to the gentleman from Florida (Mr. DEUTCH), the ranking member of the Middle East Subcommittee.

Mr. DEUTCH. Mr. Speaker, I would like to thank Chairman ROYCE and Ranking Member ENGEL for working so hard to shepherd this bill through the House in a bipartisan way.

This legislation before us today takes a significant step forward in our efforts to prevent the Iranian regime from acquiring nuclear weapons capabilities. Sanctions passed by this House have had devastating effects on the Iranian economy, and this legislation will continue our efforts to financially squeeze the regime by dramatically reducing Iran's oil exports and by diminishing Iran's ability to access other currencies, all of this while ensuring that humanitarian aid will continue to flow.

Despite claims made earlier, this does not cut off medicine for children.

Beyond that, this bill recognizes that despite a somewhat surprising outcome to the June presidential elections, the Iranian people are still living under a regime that too often brutally represses democratic ideals, and it imposes sanctions on those who aid the regime's active violation of human rights.

To my friends who argue that this is the wrong time, I'd ask you to consider this: newly elected President Rouhani is scheduled to be sworn in in 4 days. He campaigned on economic sanctions relief. This relief will only come when the Ayatollah, when the supreme leader, decides to relinquish the nuclear weapons program. Now is the time to let President-elect Rouhani's actions speak louder than his words. Let him tell the supreme leader that the United States House of Representatives has passed new, devastating sanctions, and the only way to relief is through a negotiated end to the nuclear weapons program.

Our policy on Iran has always been dual track: sanctions and diplomacy. Now is not the time to give up on either.

Mr. ENGEL. Mr. Speaker, I yield myself the remaining time.

We have to look at things as they really are, not as we wish them to be. To my friends who say, What's the hurry? The hurry is we don't have time to wait. While we're talking, centrifuges are spinning and Iran is getting ever closer to having a nuclear weapon. By waiting, we're only aiding and abetting them.

Mr. Rouhani is no moderate. Moderates were not allowed to run in this Iranian election. He may be the least hard-core of all the hardliners; but make no mistake about it, he was directly involved in efforts to deceive the international community when he served as Iran's chief nuclear negotiator. And he made clear during his campaign that he supports Iran's nuclear ambitions.

This is a bipartisan bill, and for good reason we have over 370 cosponsors. I respectfully ask my colleagues to vote ''yes.''

I yield back the balance of my time.

Mr. ROYCE. Yes, Mr. Speaker, the centrifuges are, indeed, spinning. And it is Mr. Rouhani as chief negotiator who met the international community with delay, with more centrifuges, more missiles, more stonewalling. And as my colleagues have pointed out, during that campaign he was the hand-picked candidate of the Ayatollah, one of eight hand-picked candidates because reformers were not allowed to run, was the one on the campaign who said—who boosted—about how he, as chief negotiator in Iran, didn't suspend enrichment but instead completed the program.

This is the individual who, when he chaired Iran's National Security Council between 1989 and 2005, was at the table when Iran masterminded the 1994 bombing of the Jewish center in Buenos Aires. He is the individual who gave the order and boasted of it; the man who called on the regime's besieging militia to attack the students in 1999 and crush them, in his words, crush them mercilessly, crush them monumentally—a thousand arrested; hundreds tortured; 70 disappeared; many, many killed. This is the nature of that man. Do not misunderstand his intentions. That's why we need this legislation.

I yield back the balance of my time.

Ms. McCOLLUM. Mr. Speaker, last week The Hill published a column entitled ''Don't force an irresponsible vote on Iran sanctions.'' The column started with the following two sentences: ''The House of Representatives is under pressure to vote on a new Iran sanctions bill, H.R. 850, before members leave town for August recess. Scheduling such a vote would be irresponsible and highly counterproductive to U.S. strategy on Iran.''

The authors of the column were not some peaceniks or pundits, but experts with real life experiences in military, diplomacy and fighting for a future of freedom for the people of Iran—Gen. (retired) Joseph Hoar, former Commander in Chief of United States Central Command, Col. (retired) Lawrence Wilkerson, former Chief of Staff to General Colin Powell, and Trita Parsi, president of the National Iranian American Council.

Today, the House of Representatives is advancing this ''irresponsible and highly counterproductive'' bill to push Iran deeper into a state of isolation and push the U.S. further away from a diplomatic resolution to Iran's pursuit of nuclear weapons. Most disturbing, by severely limiting diplomatic options for the U.S. and our international partners, this bill advances the agenda of those who seek to once again push the U.S. towards military confrontation. Our nation has been down this irresponsible, dangerous and costly path before with the war in Iraq and I completely reject the idea that war with Iran is inevitable or a viable solution to this situation.

On August 3rd the new president of Iran, Dr. Hassan Rouhani, will take office. Dr. Rouhani was elected as a moderate voice who campaigned to ''pursue a policy of peace and reconciliation'' with the West. The new president was Iran's former lead nuclear negotiator and was critical of the nuclear ''extremism'' of his dangerous predecessor, President Ahmadinejad. This is the absolute best opportunity and most favorable conditions to proceed with a diplomatic course.

Just in the past month, I received over 100 calls, e-mails and letters urging me to sign a letter to President Obama calling for a renewed diplomatic effort with Iran's new leader.

On July 19th I joined 130 Democrats and Republicans in signing the letter to Mr. Obama urging him ''to pursue the potential opportunity presented by Iran's recent presidential election by reinvigorating U.S. efforts to secure a negotiated nuclear agreement.'' Our letter goes on to say, ''we believe it would be a mistake not to test whether Dr. Rouhani's election represents a real opportunity for progress toward a verifiable, enforceable agreement on Iran's nuclear program that ensures the country does not acquire a nuclear weapon. In order to test this proposition, it will be prudent for the United States to utilize all diplomatic tools to reinvigorate ongoing nuclear talks.''

H.R. 850 and its extreme sanctions takes the opposite course. It sends the signal that the U.S. wishes to punish the Iranian people and will only settle for submission, rather than a negotiated, face saving solution that meets the security needs of the United States, Israel, and the entire international community and the economic needs of the Iranian people. This bill is a blunt instrument that harms U.S. interests, undercuts President Obama, and gives no hope to the millions of Iranians who look to the U.S. as a beacon of freedom and inspiration.

Clearly there are no guarantees that diplomacy will work in the near term and preventing a nuclear-armed Iran is an absolute. So, advancing H.R. 850 and tougher sanctions can proceed at anytime in the months ahead if Iran rejects negotiations or refuses to take tangible, verifiable steps towards an agreement. The House could vote on this bill in October or November, giving President Obama, our international partners, and the new Iranian leadership a legitimate window of time to seek peaceful progress.

This bill has 375 co-sponsors so there is absolute certainty that this bill will pass and then Congress can go on its August recess. This bill will not move in the U.S. Senate in the days ahead so nothing will be accomplished by the passage of H.R. 850 other than some chest pounding by politicians, the imposition of an embarrassing obstacle to U.S. diplomats, and a victory for the hardliners in Iran who reject negotiations as much as hardliners in this country.

Today, at this moment in time, this is a bill that harms U.S. interests and I will vote against it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to express concern about the decision to bring H.R. 850 to the floor for a vote today. We must act strongly and strategically to prevent a nuclear-armed Iran, and I believe diplomatic negotiations are currently the best possible means at our disposal for achieving this goal.

Unfortunately, I am concerned that voting on H.R. 850 now may undermine efforts to

achieve a peaceful, negotiated elimination of Iranian nuclear capacity. At a time when a new Iranian President-elect has made statements indicating a greater openness to diplomacy, returning this message with a vote on tougher sanctions only serves to empower Iranian hardliners and weaken Iranian moderates.

U.S. policy must make it clear that the goal of sanctions on Iran is to elicit verifiable concessions from Iran that have a material impact on its ability to develop a nuclear weapon. In order to achieve this goal, the President must have the ability to waive sanctions in exchange for Iranian concessions. Yet H.R. 850 places significant restrictions on the President's authority to waive sanctions.

Mr. Speaker, while we must maintain a credible military threat towards Iran, we must also make every effort to promote the success of diplomatic negotiations with Iran. If we fail to negotiate a solution that ensures the safety of the U.S. and our close ally Israel by verifying that Iran does not have the capacity to develop nuclear weapons, we will be left with few alternatives but military engagement. I urge my colleagues to come together and support tough but fair diplomacy with Iran.

Mr. CONNOLLY. Mr. Speaker, I rise in support of H.R. 850, which provides our diplomats the leverage they need to persuade Iran that the only viable course of action is to suspend work on its nuclear program.

The bill restricts oil exports from Iran and cuts off various Iranian industries from the global marketplace. It also expands sanctions on Iranian human rights violators. Lastly, this bill provides flexibility for the President to not apply sanctions when he deems it appropriate.

There is adequate time to test the willingness and ability of President Rouhani to pursue good faith talks and reach an acceptable resolution. That said, complete inaction could signal indifference or a weakening of our resolve to pro-nuclear forces in Iran. Incoming President Rouhani and the other regime leaders must be made to understand that U.S. economic pressure and other sanctions will remain in force until there is a reliable and verifiable halt to Iran's nuclear program. Given Iran's progress in nuclear enrichment, time is of the essence and Iran's past delaying tactics cannot be allowed to continue.

As an original cosponsor of H.R. 850, I urge my colleagues to send a strong, unequivocal message to the Iranian regime.

Mr. HOLT. Mr. Speaker, I am a co-sponsor of this legislation and I urge my colleagues to support it today.

It is clear that the current regime in Iran poses troubling security challenges to the world community and our allies in the Middle East. The hateful and threatening comments made by the President of Iran against Israel cannot be tolerated. Further, the provocative actions taken by Iran to further their nuclear weapons program must be stopped. A nuclear Iran would destabilize the region and threaten the United States and our allies. Iran must alter its dangerous course, and the United States needs to be fully involved to help bring this about.

I continue to support the Obama Administration's actions to seek a diplomatic solution to Iran's unnecessary and unwise pursuit of nuclear weapons. It is unacceptable for Iran to possess nuclear weapons. However, despite having imposed some of the most stringent sanctions on Iran ever, the United States and our international partners have thus far been unable to compel Iran to abandon its quest for a nuclear weapon. Accordingly, the House has no choice but to pass H.R. 850.

This bill would designate the Iranian Revolutionary Guard Corps as a foreign terrorist organization, impose sanctions on specific Iranian officials (i.e., the Supreme Leader, Guardians Council, MOIS, Quds Force, etc.), and tie additional sanctions to human rights abuses. I regret that the failure of Iran's government to change its course makes this bill necessary, as many ordinary Iranians have already suffered much as a result of the existing sanctions. We all want to see the people of Iran freed from the tyranny and oppression of the current clerical regime, but above all our greatest obligation is to prevent Iran from building and fielding nuclear weapons. This bill, if enacted into law, will hopefully bring us one step closer to that goal.

Mr. ROYCE. Mr. Speaker, I, along with the Gentleman from Arkansas, Mr. COTTON, recognize that this critical legislation requires countries still purchasing oil from Iran to reduce their combined imports by 1 million barrels per day within a year. Iran's energy sector provides the regime the resources needed to fund its nuclear weapons program. We remain extremely concerned with the pace of Iran's nuclear program. Some estimate that Iran may achieve a nuclear weapons breakout capability next year.

For this reason, we remain committed to sending the toughest possible sanctions bill to the President's desk, as quickly as possible.

Mr. GINGREY of Georgia. Mr. Speaker, I rise in strong support of H.R. 850—the Nuclear Iran Prevention Act of 2013. As a cosponsor of this important legislation, I would like to commend the bipartisan leadership of Foreign Affairs Committee Chairman ROYCE of California and Ranking Member ENGEL of New York on this issue.

Mr. Speaker, it goes without saying that our strongest ally in the Middle East is the State of Israel. It is, therefore, incumbent upon us to provide them with our unwavering support. In order to uphold this commitment, we must stop Iran's nuclear proliferation efforts. That is why I am pleased that from the outset of this legislation, the statement of policy is absolutely clear when it states, "It shall be the policy of the United States to prevent Iran from acquiring a nuclear weapons capability."

Congress took an important step during 2012 to implement economic sanctions on Iran through the Iran Threat Reduction and Syria Human Rights Act of 2012. This important legislation punishes individuals who knowingly sell more than 1,000,000 barrels of refined product, or individuals that sell, lease, or provide Iran with goods, services, technology, or information.

However, despite this effort, Iran's nuclear program has continued to grow. It was reported today that Iran has an additional 5,000 new centrifuges are ready to start operation to complement the existing 12,000 already in place. This comes on the heels of the International Atomic Energy Agency's statement in June that Tehran was violating international regulations by increasing the number of centrifuges. This continued growth in Iran's nuclear proliferation is simply unacceptable.

Mr. Speaker, while we took a critical first step in the 112th Congress, it is abundantly clear that further action is needed to curtail Iran's nuclear program. H.R. 850 today will only expand sanctions targeting Iran's human rights violations, and—for the first time—allow the President of the United States to impose sanctions on any entity that maintains significant commercial ties to Iran. H.R. 850 hits Iran where it hurts the most. By strengthening existing sanctions on 1,000,000 barrels of crude per day, this bill essentially takes money away from the Iranian regime that it would potentially use on the nuclear program.

Once again, this legislation will show our strong support of Israel and its ability to remain a beacon of democracy in the Middle East. I urge my colleagues to join me in supporting H.R. 850.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 850, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 1911, by the yeas and nays;

H.R. 850, by the yeas and nays;

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

BIPARTISAN STUDENT LOAN CERTAINTY ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and concur in the Senate amendment.

The vote was taken by electronic device, and there were—yeas 392, nays 31, not voting 10, as follows:

[Roll No. 426]

YEAS—392

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

NAYS—31

Bass
Broun (GA)
Capuano
Chu
Clarke
Conyers
Cotton
Ellison
Fudge
Gohmert
Green, Gene
Grijalva
Honda
Kind
Lee (CA)
Luján, Ben Ray (NM)
Lynch
McGovern
Pallone
Payne
Pocan
Richmond
Sanford
Schakowsky
Speier
Stutzman
Takano
Tierney
Tsongas
Welch
Westmoreland

NOT VOTING—10

Campbell
Collins (GA)
Graves (MO)
Herrera Beutler
Holt
Horsford
McCarthy (NY)
Rush
Webster (FL)
Young (FL)

□ 1821

Mr. BEN RAY LUJÁN of New Mexico and Ms. SPEIER changed their vote from ''yea'' to ''nay.''

Messrs. CICILLINE and BUTTERFIELD changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair would like to reiterate the announcement of February 26, 2013, concerning proper attire on the floor of the House.

Members should wear appropriate business attire during all sittings of the House, however brief their appearance on the floor.

This standard applies even when a Member is entering the Chamber only to vote by electronic device or by card in the well.

Members are reminded of the unique tradition and dignity of the House that sets it apart from other institutions and workplaces.

The Chair expresses gratitude for those Members that meet this standard, especially those who have had to change longtime personal customs or traditions to do so.

The Chair appreciates the attention of the Members to this matter.

NUCLEAR IRAN PREVENTION ACT OF 2013

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 850) to impose additional human rights and economic and financial sanctions with respect to Iran, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 20, answered ''present'' 1, not voting 13, as follows:

[Roll No. 427]

YEAS—400

Aderholt
Alexander
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Boehner
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)

Hensarling
Higgins
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoho
Young (AK)
Young (IN)

NAYS—20

Amash
Blumenauer
Carson (IN)
Edwards
Ellison
Grijalva
Johnson, E. B.
Jones
Lee (CA)
Massie
McCollum
McDermott
McGovern
Miller, George
Moran
O'Rourke
Payne
Price (NC)
Visclosky
Waters

ANSWERED ''PRESENT''—1

Johnson (GA)

NOT VOTING—13

Campbell
Collins (GA)
Conyers
Graves (MO)
Herrera Beutler
Holt
Horsford
King (IA)
McCarthy (NY)
Miller (FL)
Schock
Yoder
Young (FL)

□ 1834

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MILLER of Florida. Madam Speaker, due to being unavoidably detained, I missed the following Rollcall Vote: No. 427 on July 31, 2013. If present, I would have voted: Rollcall vote No. 427—H.R. 850, Nuclear Iran Prevention Act, as amended, "aye."

ENERGY CONSUMERS RELIEF ACT OF 2013

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 1582.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 315 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1582.

The Chair appoints the gentlewoman from Florida (Ms. ROS-LEHTINEN) to preside over the Committee of the Whole.

□ 1838

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. 1582) to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than $1 billion and will cause significant adverse effects to the economy, with Ms. ROS-LEHTINEN 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 Kentucky (Mr. WHITFIELD) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

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

This evening, we will be debating H.R. 1582, the Energy Consumers Relief Act of 2013, authored by the distinguished gentleman from Louisiana (Mr. CASSIDY), a member of the Energy and Commerce Committee.

Madam Chairman, one of the major issues that the American people face today is a slow growth in its economy. Our economy has been sluggish for some time. The last quarter of 2012 and the first quarter of 2013, gross domestic product grew by less than 2 percent. And in the last 15 quarters, the growth of our economy in America has been the slowest since World War II. So we need to do everything in this country to promote economic growth, and this bill looks at the impact of regulations as obstacles to economic growth.

I want to just read a few of the regulations that have been adopted by EPA since January 2009:

Greenhouse gas regulations for cars, and these are EPA numbers. It cost $52 billion. Greenhouse gas standards for cars 2017–2025, $144 billion; greenhouse gas standards for trucks, $8 billion; Utility MACT, $9.6 billion annually; Boiler MACT, $2.2 billion annually.

Now, I could go on and on, but I think that that shows that the cost of some of these regulations present serious obstacles to economic growth. So the legislation that we consider tonight is simply a commonsense approach, a way to review the impact of energy-related regulations at the Environmental Protection Agency.

All this legislation does is this:

The Administrator of the Environmental Protection Agency may not promulgate as final an energy-related rule that is estimated to cost more than $1 billion unless:

One, they make a report to Congress setting out what the regulation does; and

Two, the Secretary of Energy, working with the Federal Energy Regulatory Commission, the Administrator of the Energy Information Administration, the Secretary of Commerce, and the Small Business Administration will look at these regulations and look at the impact on consumer energy cost, the impact on employment, and the impact on economic growth. The Department of Energy certainly has the expertise to analyze these kinds of figures, and if the Secretary determines that it would be harmful to economic growth, then the Secretary can actually stop the regulation from taking effect.

Now, the good news is, at that point, EPA could go back and redo the process. But I can tell you, from my personal experience of working with people in my district who are affected by regulations every day, most people genuinely believe that there's not anything wrong with having other government agencies review the impact of the cost of regulations on the economy, on jobs, on the price of fuel. That's precisely what Dr. CASSIDY's bill does. I think it's a commonsense approach and something that the American people need as additional protections.

With that, I reserve the balance of my time.

Affordable and reliable energy is critical for our basic necessities, from heating or cooling

homes, to transportation and obtaining healthcare. When energy prices rise, it threatens public health because it hurts the poor and disadvantaged disproportionately.

Energy is also critical for a growing economy. When energy prices rise, it can cause job losses that can be devastating to public health.

Given the prolonged weakness in the economy, high unemployment, and rising gasoline and other energy prices, the Nation can ill-afford to be further burdened by billion-dollar energy regulations that destroy jobs and significantly harm the economy.

Today we have an opportunity to help protect families, consumers, and manufacturers from rising energy costs triggered by billion-dollar energy regulations imposed by the Environmental Protection Agency. We can do this by requiring greater transparency and more inter-agency scrutiny of EPA's most expensive energy regulations, and that is why I urge all of my colleagues to support H.R. 1582, the "Energy Consumers Relief Act."

This additional scrutiny of EPA's costs and benefits analysis is warranted. For example, EPA estimated that only 4,700 MW of coal-fired generation would be lost as a result of its Utility MACT rule. Yet, with 2 years left until the 2015 compliance deadline, nearly 44,000 MW of coal-fired generation have already announced retirement.

Further, we received testimony before the Energy and Power Subcommittee that under EPA's formula used to measure job impacts, the more costly the regulation, the greater the job increase EPA's formula will project. The use of such fuzzy math to calculate employment impacts led one economist to conclude, "one cannot characterize the current formula favored by EPA as an economic methodology at all."

It's exactly these types of skewed methodologies and flawed results that H.R. 1582 will help shine a light on. We owe it to the American people to ensure that our federal agencies are not overstating benefits or understating economic impacts to further political agendas.

Such scrutiny will become increasingly critical as EPA and the Administration attempt to justify its forthcoming greenhouse gas regulations on coal-fired power plants with unsound and untested "Social Cost of Carbon" methodology.

With more EPA billion-dollar energy-related rules on the horizon, it is imperative that we understand the impacts of these rules on jobs and the economy before they are implemented.

By passing the "Energy Consumers Relief Act" we have the chance to protect American consumers and businesses from billion-dollar regulations that significantly harm the economy. And I might add that this Act does nothing to affect existing laws and regulations that protect public health and the environment.

I urge all my colleagues to support this bill.

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

This Republican bill is simply a disguised assault on EPA rules that protect human health and the environment. That's why the White House has said that the President would veto this bill—if it got to him.

Last Congress, this House, under Republican leadership—they know how to dress, but they don't know how to legislate. The Republicans voted over 300 times to roll back environmental laws. Nearly half of these votes were efforts to block EPA rules.

The House voted to block EPA standards for mercury, a serious toxin, and other air pollutants that are similarly poisonous from power plants and incinerators.

□ 1845

The House voted to strip EPA of authority to set water quality standards. The House even voted to overturn EPA's scientific finding that carbon pollution endangers health and the environment.

The problem the Republicans face is that the public doesn't want more air and water pollution. They don't support these attacks on public health standards that protect our kids and our seniors. The public doesn't want to weaken the Clean Air Act or the Clean Water Act or the Safe Drinking Water Act. The public supports our bedrock environmental laws.

So it should come as no surprise that none of these attacks on EPA in the last Congress became law. They all died in the Senate.

Now, House Republicans are trying a new approach: rather than blocking EPA action directly, they want to give another agency veto power over EPA rules.

Under this bill, if the Department of Energy determines that a rule proposed by EPA would cause any "significant adverse effects to the economy," EPA would be blocked from finalizing the rule.

This bill would set a terrible precedent. If we give DOE a veto power over EPA, where do we stop? Are we next going to give the Department of Commerce a veto over the State Department or the IRS a veto over the FDA? This kind of thinking would mean that our government would be so dysfunctional that the whole government would look like the Congress of the United States.

Even if DOE does not veto an EPA rule, the extensive analysis required under the bill could delay EPA rules for years, which means more air pollution, more asthma for our kids, and more danger to our planet.

We have an obligation to our children and future generations to protect our atmosphere while there is still time. We need to be acting faster, not putting on the brakes to benefit the big polluters.

This is a costly bill. The Congressional Budget Office says that the price tag for all the reviews and the reports required under this legislation would be $35 million over 5 years. This is money that we don't have to spend, especially since the DOE reviews will simply be duplicative of exhaustive analysis already done by the EPA. And while EPA is acting, they can give EPA their point of view.

And consider this point: at the same time that the House Republicans are telling DOE to undertake exhaustive analysis of EPA rules, they are slashing DOE's budget. DOE could end up with no resources to do these reviews. Existing statutory deadlines for EPA to issue public health standards would be replaced with indefinite delay.

This bill is a recipe for making the Federal agencies dysfunctional. No one should want that.

Let me give you an example of the kind of public health standard this bill is designed to block. During the committee markup, the chairman of the Energy and Power Subcommittee argued that this legislation is needed because he was not satisfied with EPA's analysis of the mercury and air toxics rule. He wasn't satisfied. EPA did a whole analysis. They got the costs; they got the benefits. It was all quantified.

Every year, EPA's standards will help reduce mercury pollution, prevent up to 11,000 premature deaths, and deliver up to $90 billion in benefits to the Nation. But this individual Member wasn't satisfied. It's a tremendous success story that will deliver up to $9 of benefits for every $1 spent. That's what EPA was proposing to do. No Member of Congress, no other department, should stop those kinds of regulations from being put in place.

The fact that this rule is the poster child for the public health rule this legislation is designed to block shows just how misguided this legislation truly is.

This bill is deeply flawed; it is a veiled assault on critical public health and environmental protections. I urge all Members to oppose this latest Republican attempt to gut our Nation's cornerstone environmental laws, which were adopted by bipartisan votes. And now the Republicans in a partisan way are trying to make sure those laws do not work to protect public health and the environment.

Madam Chair, I reserve the balance of my time.

Mr. WHITFIELD. Madam Chair, I might say, with all due respect to my friend from California, that he is exactly correct. I was not satisfied with Utility MACT, but primarily because EPA misled the American people. Publicly they were always talking about the mercury reductions and that the benefits would come from mercury reductions. Yet at the hearing, EPA's own analysis showed that the benefits were not there for mercury reductions; the benefits were there from particulate matter reduction. So I don't see why they deliberately misled the American people on that.

I might just make one other brief comment. We were talking about the money involved by the Department of Energy in implementing this bill. At the end of fiscal year 2012, the Department of Energy had over $2.36 billion in excess carry-over balances.

At this time, I would like to yield 5 minutes to the gentleman from Louisiana, Dr. CASSIDY, the author of this bill.

Mr. CASSIDY. Madam Chair, I want to thank Chairman UPTON, Chairman WHITFIELD, and their staff for their hard work in preparing this important legislation and bringing it to the House floor, which, by the way, passed the committee with bipartisan support.

Currently, millions of Americans are unemployed or underemployed, millions more have left the labor force entirely, and our economy continues to struggle to recover.

This is particularly true among blue collar workers, blue collar workers who have traditionally been employed in mining, manufacturing, and construction. Those three are related because the mining, the bringing of resources from underneath the ground, fuels literally energy-intensive manufacturing enterprises, which will then go on to make steel, use the steel to construct pipelines, or first make steel pipes, then to construct pipelines. It is an energy-intensive economy that brings good jobs with good benefits to blue collar workers. I have no clue why folks on the other side of the aisle are so hostile to our blue collar workers.

While we have all these millions unemployed, the EPA has been advancing an expansive regulatory assault on the production and distribution of affordable and reliable energy.

Now, by the way, current regulations don't change. That does not roll back anything. This is only about prospective regulations. So if there is a concern about the Clean Water Act and the Clean Air Act, those regulations as they have currently been enforced remain the same. It is just that numerous new regulations have created uncertainty, contributing to an unprecedented number of announced power plant shutdowns, destroying blue collar jobs, increasing energy costs on manufacturers, and raising concern regarding electrical grid reliability.

Although the EPA attributes large public health benefits to billion-dollar regulations, their scientific analysis has been sharply criticized, with one public health expert saying their method of analysis is misleading to public policymakers.

Another, the National Academy of Science, on a formaldehyde rule saying that the conclusions are not justified by the methodology or the research that was presented.

We are using faulty research to justify the destruction of blue collar jobs. I don't know why anybody wouldn't want to be for this, but some are not.

There are concerns that the EPA ignores a significant public health cost associated with energy prices and result in job losses. I'm a doc. I know that when someone loses their job with good benefits and goes on something like Medicaid their health suffers.

There is a researcher, Dr. Till von Wachter, currently an associate professor of economics at UCLA, who testified that job losses can lead to significant reductions in life expectancy of 1 to 1.5 years. This isn't just a parent, the worker; it's their children as well. It is so well documented, and yet folks are just cavalier and casual about the job losses that EPA regulation brings about. When energy becomes expensive or unreliable, public health is threatened, as that research shows.

All we are asking for here is accountability and transparency to determine the full impact of EPA's major energy-related regulations—the impact it will have on jobs, energy prices, and our Nation's economy. If the benefit outweighs the cost, the rule goes forward; but if the cost greatly outweighs the benefit, then let's just stick up for the blue collar worker, her family, let's just stick up for them so maybe they don't have to go on government dependency.

By the way, it is not unprecedented. OMB has previously put a hold on EPA rules, and EPA has the right to put a hold on Army Corps of Engineer rulings. Commonly, agencies are accountable to one another. All we ask is that the EPA will be accountable to the Department of Energy, but, if you will, to the American people.

This rule requires that if the energy rules are appropriately reviewed by the Secretary of Energy, consulting with the other relevant agencies to determine whether the proposed rules will cause significant adverse effects to the economy if this review takes place and it does not outweigh the benefits, then the rule is put on hold. By so doing, the legislation ensures energy cost and economic and job impacts are given appropriate consideration.

It is important to note, again, nothing in the legislation prevents consideration of both cost and benefits in the proposed rule; and an independent and thorough review by Federal departments with expertise in energy and economic analysis is merely a check, merely a call, for EPA to be transparent, which they have not been in the past.

The CHAIR. The time of the gentleman has expired.

Mr. WHITFIELD. Madam Chair, I yield an additional minute to the gentleman from Louisiana.

Mr. CASSIDY. The bill will protect consumers from higher energy prices by providing additional oversight of EPA's most expensive rules that regulate the production, supply, distribution, or use of energy. Most importantly, it protects blue collar jobs from construction by an overzealous bureaucrat who just decides because they have something that they want to do and they don't wish to be transparent about it, it is okay to destroy blue collar jobs.

I urge all Members to support H.R. 1582, the Energy Consumers Relief Act of 2013.

Mr. WAXMAN. Madam Chair, I am pleased at this time to yield 5 minutes to the gentleman from Illinois (Mr. RUSH), the ranking member of the subcommittee from which this bill emerged.

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

Madam Chair, I rise today in strong opposition to this horrendous bill, H.R. 1582.

Although this bill is called the Energy Consumers Relief Act, a more appropriate title would be the Shamelessly Blocking Public Health Protections Act.

While the gentleman from Louisiana and the rest of my Republican colleagues may attempt to fool the American people into thinking that this is some kind of a jobs bill, the fact of the matter is, as the Republican leadership admitted on national television a few days ago, the majority party is not interested in working on legislation to address the real problems that American families face, but rather they are more concerned with trying to overturn and undo any and all of the initiatives that the President has already accomplished. Whatever President Obama has done, the Republicans want to undo.

So, Madam Chair, while the majority party proudly wears the label as the leaders of one of the most ineffective, do-nothing Congresses of all times, we are here today yet again spending valuable time debating yet another rhetorical, meaningless message bill that will never ever become law, instead of working on real problems that confront the American people.

□ 1900

Madam Chairman, I am here today to say enough is enough.

Let us get back to the business of governing by working on legislation to put Americans back to work and to get our economy running at full steam once again for the benefit of all the American people. Instead, we are here debating a bill that we know and that my colleagues on the other side of the aisle know is dead on arrival in the Senate due to its radical and extreme positions.

Make no mistake about it, Madam Chairman. This bill is not about making government more open and more accountable to the American people. In fact, the opposite is true. This bill is simply and solely about blocking the EPA from finalizing rules that would make our air and our water cleaner and help avert catastrophic climate change.

This bill has many problems, but its most egregious flaw is that it gives the Department of Energy an unprecedented veto over the most important EPA rules, which are to protect human health and to protect our Nation's environment.

The EPA regulations most likely to be delayed or the most likely to be destroyed by this legislation have tremendous benefits for human health and the environment, including money saved on energy bills and at the gas pump; reductions in the emissions of toxic pollutants, which cause cancer and developmental delays in children;

hospitalizations that will be averted; and the prevention of asthma attacks and premature deaths, all of which provide real benefits to the American people—real people.

The CHAIR. The time of the gentleman has expired.

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

Mr. RUSH. The title of this bill is the Energy Consumers Relief Act, but yet the majority prevented me from offering an amendment that simply stated that the EPA rules could not be blocked if they resulted in consumers saving money at the gas pump. So, if the purpose of this bill were truly to provide relief to consumers, then allowing my amendment would have been, simply, a no-brainer.

Madam Chairman, you can fool some of the people some of the time, but you cannot fool all of the people all of the time. Enough is enough. Let us get back to considering real legislation.

Mr. WHITFIELD. Madam Chairman, I would like to remind everyone once again that this legislation applies only to energy-related regulations that exceed $1 billion. That's all that it applies to.

At this time, I would like to yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. ROTHFUS).

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

Mr. ROTHFUS. Madam Chairman, I rise in support of the Energy Consumers Relief Act.

This commonsense legislation will protect workers, families, small businesses, and manufacturers by providing for more rigorous oversight and public disclosure of expensive and job-killing EPA regulations.

Yesterday, President Obama's new EPA Administrator demonstrated how out of touch she was by denying that regulations have an impact on jobs. She is quoted as saying: ''Can we stop talking about environmental regulations killing jobs, please, at least for today?''

We'll stop talking about it when they stop robbing us of the jobs that support our communities.

Within the last month, regulations have cost another 300 jobs in western Pennsylvania. The damage wrought by these regulations extends far beyond the individual families affected. They hurt their surrounding communities where these moms and dads live, work, and send their kids to school. They increase the cost of energy, which is a direct cost on families and businesses. It is especially painful for seniors and others who live on fixed incomes.

I urge my colleagues to vote for this legislation that will protect workers, families, and businesses from higher electricity prices, less reliable energy, and more lost jobs.

Mr. WAXMAN. Madam Chair, I am now pleased to yield 3 minutes to the gentleman from New York (Mr. TONKO), who is the ranking member of the subcommittee called Environment and the Economy.

Mr. TONKO. Thank you, Ranking Member WAXMAN, for the opportunity to share some thoughts on this legislation.

Madam Chair, H.R. 1582 is yet another attempt to block the Environmental Protection Agency from fulfilling its mission, which is to protect public health and our environment.

The bill is premised on the false notion that the protection of public health and the environment comes at the price of jobs. Simply, it does not. H.R. 1582 is not about transparency or fairness. The bill creates a burdensome and duplicative requirement for analysis by the Department of Energy, designed to block EPA from moving forward to address climate change.

The people standing in the way of policy to address climate change are willing to subject us to ever-increasing costs of natural disasters, damaged infrastructure, and the loss of lives and livelihoods.

Why? To preserve our dependence on a fossil fuel-only energy economy.

Proposed regulations are analyzed and reviewed now under multiple laws and multiple executive orders. Rules in the Federal Register consume more page numbers now due to the requirements for additional analyses and documentation under the Paperwork Reduction Act, the Unfunded Mandates Act, the Regulatory Flexibility Act, and multiple executive orders. These additional analyses, studies, and peer reviews have repeatedly shown that EPA's rules are justified and deliver many more benefits to people's health and our environment than costs to business. If and when they do not, either the rule does not go forward or opponents can have their day in court.

H.R. 1582 pits one department against another. The Secretary of the Department of Energy should not have veto power over regulations that EPA is empowered by law to issue. There are ample opportunities for interagency consultation during the rulemaking process. Regulations to improve our air quality and to address other pollution problems have been opposed over the years with the threat that controlling pollution would bankrupt our industries and our economy. That has not happened. We have managed to create a cleaner, healthier environment for our people and have a robust, dynamic recovery. H.R. 1582 is designed to hamstring the EPA and continue to delay action on the looming, serious challenge of climate change.

We can and must do better. We have the innovative capacity to meet these challenges. The only thing lacking is political will—political will to move forward. This Nation did not become great by denying and avoiding challenges. Avoiding this problem will only increase costs and risks across the Nation. I oppose H.R. 1582, and I urge my colleagues to do the same.

Mr. WHITFIELD. Madam Chair, may I ask how much time is remaining.

The CHAIR. The gentleman from Kentucky has 18 minutes remaining, and the gentleman from California has 15 minutes remaining.

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

Mr. WAXMAN. Madam Chair, I would like to yield 3 minutes to a very important member of our full committee, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Madam Chair, I rise in strong opposition to this bill.

As far as I am concerned, this is just another attack on the EPA. Some of my colleagues have spent hundreds of hours this session attacking the EPA. May I remind them that Congress set up the EPA to regulate dangerous and toxic substances in order to keep our air and water clean. We must continue to support the EPA in this task. Who would not want clean air and clean water? I think the EPA does a fine job in protecting us.

My district has one of the highest asthma rates in the country. It is one of the reasons that I championed clean energy and have argued for strong EPA rules to help protect our children.

If this bill had been law already, the EPA could have been delayed or blocked from finalizing the Mercury and Air Toxics Standards, which set emissions limits for new coal- and oil-fired power plants for mercury and other toxic air pollutants. Why would anyone want to block the EPA from doing that? The EPA estimates that these new standards will save up to 11,000 lives and prevent 130,000 asthma attacks. That's good enough for me.

There are many, many reasons to continue to support the EPA. This bill, unfortunately, does not do that, so I urge my colleagues to oppose this bill and to support the EPA in a goal we should all share of protecting our air and water.

Mr. WHITFIELD. I continue to reserve the balance of my time.

Mr. WAXMAN. Madam Chair, I only have one more speaker on my side.

May I inquire of the manager of the bill, how about you?

Mr. WHITFIELD. We have no other speakers.

Mr. WAXMAN. So, under those circumstances, I would like to yield myself the balance of my time.

Madam Chair, there was a claim from one of the supporters of this bill that the EPA is using faulty science to justify its rules. In fact, the proponents of this bill are using faulty examples to try to justify this ridiculous bill. For example, the gentleman from Louisiana's chief example of a faulty EPA rule is what he refers to as a ''formaldehyde rule.'' In fact, this isn't a rule. It is a draft scientific assessment that is completely unrelated to the energy-related rules that are the subject of this bill. I do want to point out that pollution control regulations create jobs because they create clean technologies that the whole world wants.

The proponents of this bill claim they are worried about jobs and the unemployed. I think they're crying crocodile tears. The Republicans are for the sequestration, which is costing hundreds of thousands of jobs. They are threatening the U.S. with default. They are against food stamps for people who don't have jobs and who don't have food to eat. Give me a break. They're not trying to save jobs; they're trying to save some of these big polluting industries that have to pay to reduce their pollution.

Now, we've heard that this bill is going to provide more checks and balances because the EPA will then have its rules reviewed by the Department of Energy, but EPA rules go through a very extensive interagency process. Other agencies, including the Department of Energy, can make their views known to the EPA. The Office of Management and Budget already has the ability to have any concerns addressed before they allow EPA rules to go forward. These rules go through months or even years of scrutiny before they are issued, but this bill creates a new, unchecked authority for the Department of Energy to veto public health rules. That's a terrible idea.

Why would we give one agency the unchecked authority to block another agency's rules? There are plenty of checks and balances in the existing law.

□ 1050

Then we hear the argument that this bill is really about transparency because somebody else should be overseeing EPA rulemaking. But, in fact, this bill will do the opposite. The bill creates a duplicative and confused regulatory process for EPA rules. After EPA has done its analysis, they've weighed the risks and the costs and the benefits, they've heard from people who are claiming the costs are too high, they've heard from people claiming the benefits are not enough. Whatever the claims are, they evaluate those claims based on science. And according to the nonpartisan Congressional Budget Office, if we let EPA review all these regulations again from scratch, the taxpayers are going to pay $35 billion.

The bill gives the Department of Energy an unprecedented veto over EPA public health rules. And you know what? There's no public comment when DOE does that. They don't hear from the public. They'll hear from the industry, but they won't hear from the public. They're not equipped to evaluate the scientific health benefits. They're looking at the costs. It's a skewed DOE analysis. This bill is not about transparency.

We were told this is not over any simple rules; it's only over the expensive ones, regulations that will cost over a billion dollars. A billion dollars over a year? A billion dollars over 10 years? A billion dollars over 20 years? There is no definition of that. They say a billion dollars. Okay. But that could, then, be used to stop a rule that is far less than what people think it would cost, and, of course, the benefits have to outweigh the cost before the rule can even be issued by EPA.

I want to give a good example of regulations that would be stopped by this legislation. EPA and the Department of Transportation work together on tailpipe standards and fuel efficiency rules for automobiles and other motor vehicles. There are huge benefits. They help consumers save money at the pump. When you have a car that runs on more miles per gallon, you're saving money. We're also protecting the environment because we're not burning as much carbon.

Under the rules, by 2025, Americans will be able to travel twice as far on a gallon of gas, which will save consumers thousands of dollars. But that rule won't go into effect because the DOE now has to get involved. Transportation and EPA are proposing rules over their jurisdiction, over transportation and over air pollution. These rules, which could lead to consumers seeing gasoline at the pump drop by over a dollar a gallon, could be held up.

And even though these rules are all supported by the major auto companies, including Ford, GM, and Chrysler, these rules will cut U.S. emissions and carbon pollution by $6 billion, but this bill could prevent EPA from adopting new vehicle rules that will save consumers even more money and continue to address the threat of climate change.

This is a very bad bill. It doesn't make sense, and I urge my colleagues to vote against it.

I yield back the balance of my time.

Mr. WHITFIELD. Madam Chair, I yield myself the balance of my time.

Once again I want to thank Dr. CASSIDY for authoring this bill and bringing it to the House floor.

I would like to remind everyone that EPA has made great strides. We all recognize the improvements that have been made in our air quality, water quality, particulate matter, et cetera. As a matter of fact, carbon dioxide emissions are the lowest that they've been in 20 years here in America. Yet I would say that EPA is not the Holy Grail. The EPA does make mistakes.

I would like to just read a couple of comments from some witnesses who testified over the last year at the Energy and Commerce Committee's Energy and Power Subcommittee. Dr. Peter Valberg, former member of the Harvard School of Public Health, testified that ''there are major questions about EPA's forecast of serious health effects caused by small increments in particulate matter levels. EPA's statistical approach is fraught with numerous assumptions and uncertainties.''

Dr. Tony Cox of the Colorado School of Public Health testified that ''the use of statistical associations to address causal questions about health effects of regulation is not only technically incorrect, but, as practiced by EPA and others, is also highly misleading to policymakers.''

Then Dr. Anne Smith, an economist with NERA Economic Consulting, talked about the uncertainties and the statistical models used by EPA having serious flaws.

All we're saying is at a time when the economy is struggling—particularly now—and when EPA is the most aggressive that it has been in recent memory—as a matter of fact, even though our CO_2 emissions are down to the lowest level in 20 years, America is the only country in the world where you cannot build a new coal-powered plant. All this legislation does is it says if EPA comes up with a new regulation, energy related, that costs over a billion dollars, they've got to make a report to Congress.

Then the Secretary of Energy, working with the Secretary of Commerce and the Small Business Administration and the Energy Information Agency, they will look and they will see what is the impact of this regulation upon the cost of energy, the cost of gasoline, the cost of electricity; what is the impact on causing jobs to be lost or a plant maybe not to be built and a job will be lost or a plant will close. So it's not dictating anything.

It's the Cabinet members of the same administration simply reviewing all of the evidence, doing its own analysis, and then deciding that if it has significant impact on the economy, then they can rule that the regulation will not take effect, at which point the EPA can go back, make some adjustments, and redo it.

I think it's a good piece of legislation that provides additional transparency and additional review of the regulation, the impact on the economy, the impact on jobs, the impact on prices. And what is wrong with that? What is wrong with the Congress getting a report back from the agency and letting the other Department heads in the government review it? That's all this legislation is about.

I urge Members to support this legislation, and I yield back the balance of my time.

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.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–19. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 1582

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Energy Consumers Relief Act of 2013''.

SEC. 2. PROHIBITION AGAINST FINALIZING CERTAIN ENERGY-RELATED RULES THAT WILL CAUSE SIGNIFICANT ADVERSE EFFECTS TO THE ECONOMY.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not promulgate as final an energy-related rule that is estimated to cost more than $1 billion if the Secretary of Energy determines under section 3(3) that the rule will cause significant adverse effects to the economy.

SEC. 3. REPORTS AND DETERMINATIONS PRIOR TO PROMULGATING AS FINAL CERTAIN ENERGY-RELATED RULES.

Before promulgating as final any energy-related rule that is estimated to cost more than $1 billion:

(1) REPORT TO CONGRESS.—The Administrator of the Environmental Protection Agency shall submit to Congress a report (and transmit a copy to the Secretary of Energy) containing—

(A) a copy of the rule;

(B) a concise general statement relating to the rule;

(C) an estimate of the total costs of the rule, including the direct costs and indirect costs of the rule;

(D) an estimate of the total benefits of the rule, an estimate of when such benefits are expected to be realized, and a description of the modeling, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under this subparagraph;

(E) an estimate of the increases in energy prices, including potential increases in gasoline or electricity prices for consumers, that may result from implementation or enforcement of the rule; and

(F) a detailed description of the employment effects, including potential job losses and shifts in employment, that may result from implementation or enforcement of the rule.

(2) INITIAL DETERMINATION ON INCREASES AND IMPACTS.—The Secretary of Energy, in consultation with the Federal Energy Regulatory Commission and the Administrator of the Energy Information Administration, shall prepare an independent analysis to determine whether the rule will cause—

(A) any increase in energy prices for consumers, including low-income households, small businesses, and manufacturers;

(B) any impact on fuel diversity of the Nation's electricity generation portfolio or on national, regional, or local electric reliability;

(C) any adverse effect on energy supply, distribution, or use due to the economic or technical infeasibility of implementing the rule; or

(D) any other adverse effect on energy supply, distribution, or use (including a shortfall in supply and increased use of foreign supplies).

(3) SUBSEQUENT DETERMINATION ON ADVERSE EFFECTS TO THE ECONOMY.—If the Secretary of Energy determines, under paragraph (2), that the rule will cause an increase, impact, or effect described in such paragraph, then the Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Commerce, the Secretary of Labor, and the Administrator of the Small Business Administration, shall—

(A) determine whether the rule will cause significant adverse effects to the economy, taking into consideration—

(i) the costs and benefits of the rule and limitations in calculating such costs and benefits due to uncertainty, speculation, or lack of information; and

(ii) the positive and negative impacts of the rule on economic indicators, including those related to gross domestic product, unemployment, wages, consumer prices, and business and manufacturing activity; and

(B) publish the results of such determination in the Federal Register.

SEC. 4. DEFINITIONS.

In this Act:

(1) The terms ''direct costs'' and ''indirect costs'' have the meanings given such terms in chapter 8 of the Environmental Protection Agency's ''Guidelines for Preparing Economic Analyses'' dated December 17, 2010.

(2) The term ''energy-related rule that is estimated to cost more than $1 billion'' means a rule of the Environmental Protection Agency that—

(A) regulates any aspect of the production, supply, distribution, or use of energy or provides for such regulation by States or other governmental entities; and

(B) is estimated by the Administrator of the Environmental Protection Agency or the Director of the Office of Management and Budget to impose direct costs and indirect costs, in the aggregate, of more than $1,000,000,000.

(3) The term ''rule'' has the meaning given to such term in section 551 of title 5, United States Code.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 113–174. 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 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. WAXMAN

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

Mr. WAXMAN. Madam Chair, I have an amendment under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, lines 4 through 13, strike section 2.

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

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Madam Chair and my colleagues and anybody listening to this debate, under this bill, if DOE determines that a rule by the Environmental Protection Agency would cause any significant adverse effects to the economy, EPA would be permanently blocked from finalizing that rule. That's a pretty broad assault on the rules that EPA might issue because EPA rules are to protect public health and the environment.

So if this bill became law, a lot of clean air and clean water protections would be at risk, and the terms in the bill are so expansive and vague that nearly every major public health proposed rule could be delayed and would be affected because DOE is not going to do this extensive analysis.

My amendment is straightforward. It eliminates the bizarre provision in this bill that gives the Secretary of Energy the unprecedented authority to effectively veto public health rules. It makes no sense for DOE to veto an EPA public health rule, especially since the veto would be based on DOE's analysis of the economic impact, which is by its terms a macroeconomic analysis.

What is this going to do to the economy if this rule goes into effect? Did anybody ever think that the DOE does not do that kind of analysis? Perhaps they should have had the Department of the Treasury do a macroeconomic evaluation. They do things like that. But instead, the authors of this bill want DOE to do it. All right. It's outside of DOE's area of expertise. This, I think, would be a terrible precedent.

Time and time again, Congress has turned to the EPA to trust the agency with the mission of protecting our air and our water from pollution. The Department of Energy should not have the power to veto the public health protections that Congress required in the Clean Air Act or the Clean Water Act or other bedrock environmental laws. The DOE veto is inconsistent with the stated purpose of this bill because the other side of this bill thinks DOE ought to do an independent analysis. We would concede it: let DOE do an independent analysis, but don't let it stop the rule from going into effect.

EPA's analysis, before they issue their proposed regulation, goes through an interagency process, DOE can intervene, the Office of Management and Budget can review it and even hold up the regulation. So let the regulation go forward and let DOE do its additional analysis, but don't let that analysis lead to paralysis if we're talking about affecting the public health in this country.

This amendment would stop the veto of an EPA regulation by DOE. It does not stop the Department of Energy from doing its analysis, but it would stop them from—while they're doing the analysis particularly—holding up a regulation and then leaving it to them exclusively to decide that they're going to veto the regulation based on a different kind of analysis than one would expect, which is to look at the benefits, to look at the costs, and make sure those benefits are more of a benefit in dollars and cents even. Put a price on life. That's what we're talking about. Put a price on a kid's asthma. That's what we're talking about.

□ 1930

But EPA tries to do that analysis and has to show that its regulation is going to be more economically beneficial than the cost of the regulation. And of course you imagine when they look at costs and benefits, the costs are always overstated. I've seen that in all of the years I've been here, and I've been here for decades. The costs are always overstated by the polluting corporation that doesn't want to have to take the steps to reduce their pollution.

EPA hears what they have to say, but they do their own analysis of the cost to do the regulation.

So I would urge support for this amendment. Leave the bill if you want

it, but don't give that veto power to DOE.

I yield back the balance of my time.

Mr. WHITFIELD. Madam Chair, I rise in opposition to the gentleman's amendment.

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

Mr. WHITFIELD. As the gentleman said, his amendment would, in effect, strike the provisions preventing EPA from finalizing rules that the Energy Secretary determined will cause significant adverse effects to the economy, and that's precisely why I respectfully oppose the gentleman's amendment.

All of the debate this afternoon has focused on how EPA is focused totally on health benefits, and health benefits are vitally important. We recognize that.

I think I also pointed out from experts that EPA makes mistakes in their benefit analysis, in their cost analysis when they look at costs. And so once again, what we're trying to do with the Cassidy bill is look at health, yes, but what is the impact on jobs. What is the impact on those families who lose a job because of the regulation? What is the impact on the children of the family who loses the job because of the regulation? What is the effect on their ability to provide the needs for their family, their health insurance, their food, and so forth?

So all we're saying is that the Secretary of Energy in the same Cabinet as the administrator of the EPA would head up an analysis to review the EPA rule that exceeds $1 billion and affects energy alone. And if they decide that it will have significant adverse impact on the economy, then they can stop it. And by the way, under the legislation, EPA would also have to give a report to Congress on the impact on energy cost, how much will gasoline go up, electricity, how many jobs would be lost, how many jobs would be created.

So when we have a struggling economy, the last thing we want to do is to create additional obstacles that really are not necessary at a time when you can do other things and protect health also.

So with that, I would respectfully oppose the gentleman's amendment and ask that Members vote against the gentleman's amendment.

I yield back the balance of my time.

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

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

Mr. WAXMAN. Madam Chair, I demand a recorded vote.

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

The Chair understands that amendment No. 2 will not be offered.

AMENDMENT NO. 3 OFFERED BY MR. CONNOLLY

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

Mr. CONNOLLY. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 13, after ''effects to the economy.'' insert ''This section shall not apply with respect to any rule that relates to air quality or water quality.''

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

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. I thank the Chair, and at this time I am pleased to yield 2½ minutes to the gentleman from Michigan (Mr. KILDEE), my co-author of this amendment.

Mr. KILDEE. Madam Chair, I thank my friend, Mr. CONNOLLY, for his leadership and for working on this amendment with me.

I represent nearly 100 miles of Great Lakes shoreline. When I ran for Congress, I made a commitment to my constituents in the Fifth District that I would fight every day to create jobs, to strengthen the economy, and to protect our precious water resources. Our amendment would do just that.

In Michigan, we know well the value of clean water since we're surrounded by the largest bodies of surface freshwater on Earth, the Great Lakes. As a kid, I spent many summer weekends with my family at a city campground in East Tawas, a lakefront city that I now have the privilege of representing in Congress.

Our amendment would protect our precious waters from pollution. Without our amendment, today's legislation would put the safety of the Great Lakes, of our lakes and waterways in jeopardy. History has repeatedly taught us what polluters will do if left unregulated. We have seen disastrous oil spills—including the Enbridge oil spill in Michigan—that threatened our State and our Nation's natural resources.

I will not sit idly by and allow the very rules that protect towns like East Tawas, Oscoda, Bay City, Au Gres, and other towns in my district be tossed aside for political expediency.

This bill, as written, would give the Department of Energy unprecedented power to veto EPA rules that protect public health, save lives, and protect the Great Lakes. Our amendment would prevent the DOE from being able to veto rules that regulate air or water quality.

I have heard a lot of discussion about jobs. Michigan's Great Lakes are an economic asset for my State, supporting 1.5 million jobs and pumping over $62 billion into our economy. These jobs and Michigan's recreational economy depend on clean water for fishing for swimming and for drinking. We must protect them from pollution and harm.

Today's legislation is clearly misguided and fails to provide the necessary tools to protect our Nation's critical natural resources. Republicans in committee have already voted to decrease funding for the Great Lakes Restoration Initiative by almost 80 percent, something that I strongly oppose; and now they want to make it easier for polluters to poison our waters. I will fight these bad proposals every day I am in Congress.

I urge my colleagues to support our commonsense amendment to protect the Great Lakes and protect our natural waterways.

Mr. WHITFIELD. I rise in opposition to the gentleman's amendment.

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

Mr. WHITFIELD. Madam Chair, I would say, first of all, with all due respect, we have no intent to pollute additionally the waterways that the gentleman referred to in Michigan, and I rise to oppose his amendment simply because he would say that this legislation would not apply to any rule that relates to air quality or water quality. So this amendment would exclude virtually all EPA rules from the transparency and inner-agency review requirements of the act.

I would just summarize, once again, we are talking about energy-related rules that exceed $1 billion. We know that EPA looks closely at health benefits, health impacts; and we certainly favor that. But that's not the only thing that should be examined, and that's what this legislation is about. The Secretary of Energy, with other Cabinet officials in the Obama administration, would look at the impact of the regulation on the cost of electricity, the cost of gasoline, how many jobs might be lost, how many jobs might be created, would it have significant adverse impact to the economy as a whole.

And I would think that everyone would say if it does, particularly with the slow economic growth we have today, the last 15 quarters have been the slowest since World War II, and the last quarter of 2012, the first quarter of 2013, the gross domestic product increased less than 2 percent. So we need to pay special attention to the impact that regulations may have on creating job loss and the impact on those families that lose those jobs, and that's what the gentleman's legislation is all about.

I know the gentleman rose with the very best intentions, but I would respectfully oppose this amendment and ask Members to defeat his amendment.

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

Mr. CONNOLLY. Madam Chair, I rise to join my colleague, Mr. KILDEE from Michigan, in offering what I think is a commonsense amendment that protects public health and safety.

I didn't think it was possible, Madam Chair, but this bill may actually be worse than the anti-regulatory legislation Republicans rammed through the last Congress. The House majority

calls this latest version the Energy Consumers Relief Act, an Orwellian name if there ever was one, deceptively titled as Congress heads for recess, but the title does not reflect reality. This bill more aptly might be called the Blocking Public Health Protections Act.

Shamefully, this is yet another attempt by the majority to gut public health and safety protections so they can give more handouts to big energy producers, many of which of course have financed the majority in this House.

Not only does this bill block or delay the EPA from finalizing rules, Madam Chairman, to reduce pollution that threatens the air we breathe and the water we drink. It also gives unprecedented power, as the distinguished ranking member of the committee pointed out, to the Department of Energy to veto EPA rules—nonsensical and a non sequitur if there ever was one.

We know rules already in place, like the mercury and air toxic standards that effectively regulate carcinogens, neurotoxins, smog and soot pollution, prevent up to 11,000 premature deaths, 47 heart attacks, and 130,000 asthma attacks every year. So I ask my colleagues: Why are we trying to prevent proven protections on public health?

Our amendment will continue to put public health first by ensuring that EPA retains that authority to implement the vital safeguards that protect air and water quality that previous generations in this House on a bipartisan basis believed were necessary and important to protect the public we serve.

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. Madam Chair, 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.

Mr. WHITFIELD. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LANKFORD) having assumed the chair, Ms. ROS-LEHTINEN, 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. 1582) to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than $1 billion and will cause significant adverse effects to the economy, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

□ 1945

VIETNAM HUMAN RIGHTS ACT OF 2013

Mr. ROYCE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1897) to promote freedom and democracy in Vietnam.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1897

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Vietnam Human Rights Act of 2013''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purpose.
Sec. 3. Prohibition on increased non-humanitarian assistance to the Government of Vietnam.
Sec. 4. United States public diplomacy.
Sec. 5. United Nations Human Rights Council.
Sec. 6. Annual report.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially since the end of the trade embargo in 1994, with annual trade between the two countries reaching nearly $25,000,000,000 in 2012.

(2) The Government of Vietnam's transition toward greater economic freedom and trade has not been matched by greater political freedom and substantial improvements in basic human rights for Vietnamese citizens, including freedom of religion, expression, association, and assembly.

(3) The United States Congress agreed to Vietnam becoming an official member of the World Trade Organization in 2006, amidst assurances that the Government of Vietnam was steadily improving its human rights record and would continue to do so.

(4) Vietnam remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to deny the right of citizens to change their Government.

(5) Although in recent years the National Assembly of Vietnam has played an increasingly active role as a forum for highlighting local concerns, corruption, and inefficiency, the National Assembly remains subject to the direction of the CPV and the CPV maintains control over the selection of candidates in national and local elections.

(6) The Government of Vietnam forbids public challenge to the legitimacy of the one-party state, restricts freedoms of opinion, the press, and association and tightly limits access to the Internet and telecommunication.

(7) Since Vietnam's accession to the WTO on January 11, 2007, the Government of Vietnam arbitrarily arrested and detained numerous individuals for their peaceful advocacy of religious freedom, democracy, and human rights, including Father Nguyen Van Ly, human rights lawyers Nguyen Van Dai, Le Thi Cong Nhan, Cu Huy Ha Vu, and Le Cong Dinh, and bloggers Nguyen Van Hai, Ta Phong Tan, and Le Van Son.

(8) The Government of Vietnam continues to detain, imprison, place under house arrest, convict, or otherwise restrict persons for the peaceful expression of dissenting political or religious views.

(9) The Government of Vietnam continues to detain labor leaders and restricts the right to organize independently.

(10) The Government of Vietnam continues to limit the freedom of religion, restrict the operations of independent religious organizations, and persecute believers whose religious activities the Government regards as a potential threat to its monopoly on power.

(11) Despite reported progress in church openings and legal registrations of religious venues, the Government of Vietnam has halted most positive actions since the Department of State lifted the ''country of particular concern'' (CPC) designation for Vietnam in November 2006.

(12) Unregistered ethnic minority Protestant congregations, particularly Montagnards in the Central and Northwest Highlands, suffer severe abuses because of actions by the Government of Vietnam, which have included forced renunciations of faith, arrest and harassment, the withholding of social programs provided for the general population, confiscation and destruction of property, subjection to severe beatings, and reported deaths.

(13) There has been a pattern of violent responses by the Government to peaceful prayer vigils and demonstrations by Catholics for the return of Government-confiscated church properties. Protesters have been harassed, beaten, and detained and church properties have been destroyed. Catholics also continue to face some restrictions on selection of clergy, the establishment of seminaries and seminary candidates, and individual cases of travel and church registration.

(14) In May 2010 the village of Con Dau, a Catholic parish in Da Nang, faced escalated violence during a funeral procession as police attempted to prohibit a religious burial in the village cemetery; more than 100 villagers were injured, 62 were arrested, five were tortured, and at least three died.

(15) The Unified Buddhist Church of Vietnam (UBCV) suffers persecution as the Government of Vietnam continues to restrict contacts and movement of senior UBCV clergy for refusing to join the state-sponsored Buddhist organization, the Government restricts expression and assembly, and the Government continues to harass and threaten UBCV monks, nuns, and youth leaders.

(16) The Government of Vietnam continues to suppress the activities of other religious adherents, including Cao Dai and Hoa Hao Buddhists who lack official recognition or have chosen not to affiliate with the state-sanctioned groups, including through the use of detention, imprisonment, and strict Government oversight.

(17) Many Montagnards and others are still serving long prison sentences for their involvement in peaceful demonstrations in 2001, 2002, 2004, and 2008. Montagnards continue to face threats, detention, beatings, forced renunciation of faith, property destruction, restricted movement, and reported deaths at the hands of Government officials.

(18) Ethnic minority Hmong in Northern Vietnam, the Northwest Highlands, and the Central Highlands of Vietnam also suffer restrictions, confiscation of property, abuses,

and persecution by the Government of Vietnam.

(19) The Government of Vietnam restricts Khmer Krom expression, assembly, and association, has confiscated nearly all the Theravada Buddhist temples, controls all Khmer Kaon Buddhist religious organizations and prohibits most peaceful protests.

(20) The Government of Vietnam controls nearly all print and electronic media, including access to the Internet, jams the signals of some foreign radio stations, including Radio Free Asia, and has detained and imprisoned individuals who have posted, published, sent, or otherwise distributed democracy-related materials.

(21) People arrested in Vietnam because of their political or religious affiliations and activities often are not accorded due legal process as they lack full access to lawyers of their choice, may experience closed trials, have often been detained for years without trial, and have been subjected to the use of torture to admit crimes they did not commit or to falsely denounce their own leaders.

(22) Vietnam continues to be a source country for the commercial sexual exploitation and forced labor of women and girls, as well as for men and women legally entering into international labor contracts who subsequently face conditions of debt bondage or forced labor, and is a destination country for child trafficking and continues to have internal human trafficking.

(23) There are many reports of Vietnamese officials and employees participating in, facilitating, condoning, or otherwise being complicit in severe forms of human trafficking.

(24) United States refugee resettlement programs, including the Humanitarian Resettlement (HR) Program, the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) Program, general resettlement of boat people from refugee camps throughout Southeast Asia, the Amerasian Homecoming Act of 1988, and the Priority One Refugee resettlement category, have helped rescue Vietnamese nationals who have suffered persecution on account of their associations with the United States or, in many cases, because of such associations by their spouses, parents, or other family members, as well as other Vietnamese nationals who have been persecuted because of race, religion, nationality, political opinion, or membership in a particular social group.

(25) While previous programs have served their purposes well, a significant number of eligible refugees from Vietnam were unfairly denied or excluded, including Amerasians, in some cases by vindictive or corrupt Vietnamese officials who controlled access to the programs, and in others by United States personnel who imposed unduly restrictive interpretations of program criteria. In addition, the Government of Vietnam has denied passports to persons who the United States has found eligible for refugee admission.

(26) The Government of Vietnam reportedly is detaining tens of thousands of people, with some as young as 12 years old, in government-run drug detention centers and treating them as slave laborers.

(27) In 2012, over 150,000 people signed an online petition calling on the Administration to not expand trade with communist Vietnam at the expense of human rights.

(28) Congress has passed numerous resolutions condemning human rights abuses in Vietnam, indicating that although there has been an expansion of relations with the Government of Vietnam, it should not be construed as approval of the ongoing and serious violations of fundamental human rights in Vietnam.

(b) PURPOSE.—The purpose of this Act is to promote the development of freedom and democracy in Vietnam.

SEC. 3. PROHIBITION ON INCREASED NONHUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM.

(a) ASSISTANCE.—

(1) IN GENERAL.—Except as provided in subsection (b), the Federal Government may not provide nonhumanitarian assistance to the Government of Vietnam during any fiscal year in an amount that exceeds the amount of such assistance provided for fiscal year 2012 unless—

(A) with respect to the limitation for fiscal year 2014, the President determines and certifies to Congress, not later than 30 days after the date of the enactment of this Act, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period ending on the date of the certification; and

(B) with respect to the limitation for subsequent fiscal years, the President determines and certifies to Congress, in the most recent annual report submitted pursuant to section 6, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period covered by the report.

(2) REQUIREMENTS.—The requirements of this paragraph are the following:

(A) The Government of Vietnam has made substantial progress toward releasing all political and religious prisoners from imprisonment, house arrest, and other forms of detention.

(B) The Government of Vietnam has made substantial progress toward—

(i) respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference, harassment, or involvement of the Government, for all of Vietnam's diverse religious communities; and

(ii) returning estates and properties confiscated from the churches and religious communities.

(C) The Government of Vietnam has made substantial progress toward respecting the right to freedom of expression, assembly, and association, including the release of independent journalists, bloggers, and democracy and labor activists.

(D) The Government of Vietnam has made substantial progress toward repealing or revising laws that criminalize peaceful dissent, independent media, unsanctioned religious activity, and nonviolent demonstrations and rallies, in accordance with international standards and treaties to which Vietnam is a party.

(E) The Government of Vietnam has made substantial progress toward allowing Vietnamese nationals free and open access to United States refugee programs.

(F) The Government of Vietnam has made substantial progress toward respecting the human rights of members of all ethnic and minority groups.

(G) Neither any official of the Government of Vietnam nor any agency or entity wholly or partly owned by the Government of Vietnam was complicit in a severe form of trafficking in persons, or the Government of Vietnam took all appropriate steps to end any such complicity and hold such official, agency, or entity fully accountable for its conduct.

(b) EXCEPTION.—

(1) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST.—Notwithstanding the failure of the Government of Vietnam to meet the requirements of subsection (a)(2), the President may waive the application of subsection (a) for any fiscal year if the President determines that the provision to the Government of Vietnam of increased nonhumanitarian assistance would promote the purpose of this Act or is otherwise in the national interest of the United States.

(2) EXERCISE OF WAIVER AUTHORITY.—The President may exercise the authority under paragraph (1) with respect to—

(A) all United States nonhumanitarian assistance to Vietnam; or

(B) one or more programs, projects, or activities of such assistance.

(c) DEFINITIONS.—In this section:

(1) NONHUMANITARIAN ASSISTANCE.—The term ''nonhumanitarian assistance'' means—

(A) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than—

(i) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(ii) assistance which involves the provision of food (including monetization of food) or medicine;

(iii) assistance for environmental remediation of dioxin-contaminated sites and related health activities;

(iv) assistance for demining and unexploded ordnance (UXO) remediation, and related health and educational activities;

(v) assistance to combat severe forms of trafficking in persons;

(vi) assistance to combat pandemic diseases;

(vii) assistance for refugees; and

(viii) assistance to combat HIV/AIDS, including any assistance under section 104A of that Act; and

(B) sales, or financing on any terms, under the Arms Export Control Act.

(2) SEVERE FORM OF TRAFFICKING IN PERSONS.—The term ''severe form of trafficking in persons'' means any activity described in section 103(8) of the Trafficking Victims Protection Act of 2000 (Public Law 106–386 (114 Stat. 1470); 22 U.S.C. 7102(8)).

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act and shall apply with respect to the provision of nonhumanitarian assistance to the Government of Vietnam for fiscal year 2014 and subsequent fiscal years.

SEC. 4. UNITED STATES PUBLIC DIPLOMACY.

(a) RADIO FREE ASIA TRANSMISSIONS TO VIETNAM.—It is the sense of Congress that the United States should take measures to overcome the jamming of Radio Free Asia by the Government of Vietnam and that the Broadcasting Board of Governors should not cut staffing, funding, or broadcast hours for the Vietnamese language services of the Voice of America and Radio Free Asia, which shall be done without reducing any other broadcast language services.

(b) UNITED STATES EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH VIETNAM.—It is the sense of Congress that any programs of educational and cultural exchange between the United States and Vietnam should actively promote progress toward freedom and democracy in Vietnam by providing opportunities to Vietnamese nationals from a wide range of occupations and perspectives to see freedom and democracy in action and, also, by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—It is the sense of Congress that the Secretary of State should strongly oppose, and encourage other members of the United Nations to oppose, the candidacy of Vietnam for membership on the United Nations Human Rights Council for the term beginning in 2014.

SEC. 5. RELIGIOUS FREEDOM AND HUMAN TRAFFICKING.

(a) COUNTRY OF PARTICULAR CONCERN.—It is the sense of Congress that Vietnam should be designated as a country of particular concern for religious freedom pursuant to section 402(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)).

(b) MINIMUM STANDARDS FOR THE ELIMINATION OF HUMAN TRAFFICKING.—It is the sense of Congress that the Government of Vietnam does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to bring itself into compliance, and this determination should be reflected in the annual report to Congress required pursuant to section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

SEC. 6. ANNUAL REPORT.

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act and every 12 months thereafter, the Secretary of State shall submit to Congress a report on the following:

(1) The determination and certification of the President that the requirements of subparagraphs (A) through (G) of section 3(a)(2) have been met, if applicable.

(2) If the President has waived the application of section 3(a) pursuant to section 3(b) during the reporting period—

(A) the national interest with respect to which such a waiver was based;

(B) the amount of increased nonhumanitarian assistance provided to the Government of Vietnam; and

(C) a description of the type and amount of commensurate assistance provided pursuant to section 3(b)(1).

(3) Efforts by the United States Government to promote access by the Vietnamese people to Radio Free Asia transmissions.

(4) Efforts to ensure that programs with Vietnam promote the policy set forth in section 102 of the Human Rights, Refugee, and Other Foreign Policy Provisions Act of 1996 regarding participation in programs of educational and cultural exchange.

(5) Lists of persons believed to be imprisoned, detained, or placed under house arrest, tortured, or otherwise persecuted by the Government of Vietnam due to their pursuit of internationally recognized human rights. In compiling such lists, the Secretary shall exercise appropriate discretion, including concerns regarding the safety and security of, and benefit to, the persons who may be included on the lists and their families. In addition, the Secretary shall include a list of such persons and their families who may qualify for protections under United States refugee programs.

(6) A description of the development of the rule of law in Vietnam, including—

(A) progress toward the development of institutions of democratic governance;

(B) processes by which statutes, regulations, rules, and other legal acts of the Government of Vietnam are developed and become binding within Vietnam;

(C) the extent to which statutes, regulations, rules, administrative and judicial decisions, and other legal acts of the Government of Vietnam are published and are made accessible to the public;

(D) the extent to which administrative and judicial decisions are supported by statements of reasons that are based upon written statutes, regulations, rules, and other legal acts of the Government of Vietnam;

(E) the extent to which individuals are treated equally under the laws of Vietnam without regard to citizenship, race, religion, political opinion, or current or former associations;

(F) the extent to which administrative and judicial decisions are independent of political pressure or governmental interference and are reviewed by entities of appellate jurisdiction; and

(G) the extent to which laws in Vietnam are written and administered in ways that are consistent with international human rights standards, including the rights enumerated in the International Covenant on Civil and Political Rights.

(b) CONTACTS WITH OTHER ORGANIZATIONS.—In preparing the report under subsection (a), the Secretary shall, as appropriate, seek out and maintain contacts with nongovernmental organizations and human rights advocates (including Vietnamese-Americans and human rights advocates in Vietnam), including receiving reports and updates from such organizations and evaluating such reports. The Secretary shall also seek to consult with the United States Commission on International Religious Freedom for appropriate sections of the report.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

Mr. ROYCE. Madam Speaker, I yield myself such time as I might consume.

This bill, which we rise in support of, H.R. 1897, is the Vietnam Human Rights Act of 2013, and it is authored by the chairman of the Africa, Global Human Rights, and Health Subcommittee, Mr. CHRIS SMITH of New Jersey.

And I thought I would just take a moment and, as a prelude, talk about the efforts that Mr. SMITH has put in over the years, not just to the issue of human rights but, in particular, identifying those most at risk, identifying those who are held captive in prison, and taking the personal effort to go and try to visit them in these horrible conditions which they find themselves in.

I remember him saying to me once, Can you imagine what it is like for someone who's a prisoner, a prisoner because he attempts to speak out for some modicum of free speech, or for religious liberty, and he finds himself there in confinement, not knowing, when they open that door, when they come for you, what they might do to you next, not knowing what type of torture might be applied?

It takes a strong constitution for a Member of this House, year after year after year, to continue to go to bat for those who are held in captivity, those who are subject to show trials and then disappear. And part of his efforts have been to pass this particular legislation because he's concerned with the magnitude of what is happening in Vietnam, but also what he has seen with his own eyes with respect to some of those victims.

Over the years, the Foreign Affairs Committee has held many hearings on this subject, and if these hearings have had one consistent theme, it's the deterioration of human rights. And I think this is the thing we really find most regrettable: that at a time when we hoped that Vietnam might change its policies, it actually has regressed.

And we've heard from the witnesses of the use of the government by government agents, by militias—some call them thugs—who use everything from electric batons to metal prods to beat those who are demonstrating in Vietnam and who are in the process of speaking up for religious liberty or speaking up for the rights of free speech.

And now it's gotten to the point that any young person who dares to blog those words, ''freedom of speech,'' those words, ''democracy,'' anyone who publishes material promoting democracy or criticizing totalitarian rule, faces so many years in jail. It is so disproportionate, it is so ridiculous to put a young person in jail for 6 or 7 years because they blog on democracy.

But the thing that I think CHRIS SMITH and I and others here, ELIOT ENGEL, find so objectionable is the physical abuse that they are subject to in confinement.

So, as we say, religious freedom is also under attack with freedom of speech. Residents of Con Dau, Da Nang, have suffered severe violence. I've seen some of the photographs of the consequences of these beatings with batons and electric rods during a May assault at the hands, again, of Vietnamese Government officials. And again, this was because the parishioners attempted to protect their historic Catholic cemetery from seizure by the government.

We have over 350 Montagnard Christians who remain in prison for their beliefs, and other religious groups.

When I was in Vietnam, I talked to the leader of the Unified Buddhist Church of Vietnam, the venerable Thich Quang Do, who was under house arrest, and Le Quang Liem, another. He was the leader of the Hoa Hao Buddhists at the time. He has subsequently, in a protest, been beaten so badly I don't think he can carry on a conversation today.

The Cao Dai Buddhists face severe persecution from the government, the communist government there.

So what brings us here tonight is that Vietnam has actually taken steps backwards. As we heard from the witnesses who testified before our committee, in the first 6 weeks of this year, 40 dissidents have been convicted in show trials, more than all of last year. That's how bad things are deteriorating.

And that means that the communist government is not only eclipsing their past bad performance, but, paradoxically, the government is also actively pursuing a seat on the U.N. Human Rights Council. That is why we need to

take this step and why passage of the Vietnam Human Rights Act is so important and why we've got to use what leverage we have. And part of that leverage is nonhumanitarian U.S. assistance to Vietnam. And we do that unless the Vietnamese Government improves its respect for human rights to meet specified requirements.

Let's send a message to that regime that the status quo is unacceptable. This bill does that. I strongly urge its passage.

And once again, I strongly commend and thank its author for his perseverance on this issue.

I reserve the balance of my time.

Mr. ENGEL. Madam Speaker, I yield myself as much time as I might consume.

Madam Speaker, I rise in strong support of H.R. 1897. I'd like to thank the sponsor of this legislation, the gentleman from New Jersey (Mr. SMITH), and once again thank the chairman of the Foreign Affairs Committee, Mr. ROYCE, for their leadership in advocating for human rights in Vietnam.

Despite Vietnam's transition to a more open economy in recent years, political and religious freedoms for the people of Vietnam remain severely curtailed.

Just last week, President Obama hosted the President of Vietnam for a visit. I was there for the luncheon at the State Department, and I am pleased that he urged the Vietnamese leader to respect freedom of expression, freedom of religion, and freedom of assembly. At that very luncheon, I sat next to one of the Vietnam ministers and urged the same thing to him as well.

As the United States and Vietnam build a closer and more cooperative relationship, we must continue to be candid in calling for more progress in protecting the human rights and civil liberties of the Vietnamese people.

I certainly remember the Vietnam War, as I know many of my colleagues do, and it seems a bit strange that the United States and Vietnam are, in many ways, allied and working together. That's fine. But human rights is so important to us, and it's not something we can just sweep under the rug.

This legislation, the Vietnam Human Rights Act of 2013, takes a step in the right direction by prohibiting an increase in nonhumanitarian assistance to Vietnam above fiscal year 2012 levels unless the Government of Vietnam makes significant progress on critical human rights issues.

The bill makes it clear to Vietnam that the only factor limiting U.S. aid is positive action by the Vietnamese Government on political, human, and religious rights.

The Government of Vietnam has an important choice to make: Will it protect human rights and provide religious and political freedom to its citizens, or will it shirk those responsibilities and forsake the closer relationship that it wants with the United States?

Again, I think a closer relationship with Vietnam is something that I would like to see. But, you know what? We have principles, and the Vietnamese have to respect those principles. We respect them. They need to respect us.

So I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. ROYCE. Madam Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, and the author of this bill.

Mr. SMITH of New Jersey. Madam Speaker, I want to thank, first of all, you for your very kind remarks, but also for moving this legislation very swiftly through the full committee, along with ELIOT ENGEL's full support, and the chairwoman emeritus, ILEANA ROS-LEHTINEN. Thank you for your steadfast support for human rights, now presiding over this session.

And, Mr. Chairman, I do want to thank you for being a champion on behalf of the dissidents, the bloggers, the religious dissidents, political and religious in Vietnam, who suffer daily beatings at the hands of an increasingly absurd and worsening dictatorship.

Vietnam is in a race to the bottom with some of the dictatorships around the world, including Cuba, including China, Somalia, and other places where people's human rights are systematically trashed by the regimes.

I do rise to ask, respectfully, that Members support the Vietnam Human Rights Act of 2013. The purpose of this bipartisan legislation is simple: to send a clear, strong, and compelling message to the increasingly repressive communist regime in power in Vietnam that says that the United States is serious about combating human rights abuse in Vietnam.

Underscoring the worsening situation in Vietnam, John Sifton of Human Rights Watch testified at a June 4 hearing that I chaired, and he noted that ''in the first few months of 2013, more people have been convicted in political trials as in the whole of the last year.'' And that has only gotten worse as each week passes in Vietnam.

Reporters Without Borders have put out their numbers, and there's at least 35 netizens, bloggers, journalists who write online who have been incarcerated by this dictatorship.

I'll never forget, on one particular trip to Vietnam, I met with Dr. Pham Son; I met with his wife. He was in prison. And what was his crime? He went on U.S. Embassy Hanoi, took an essay entitled, ''What is Democracy?'' translated it, and rebroadcast, resent it out online, and for that he got a multi-year sentence in jail.

I met with his wife, who lived in great fear that they would go after her as well. And certainly, when I had dinner with her one night, sitting as far away as Chairman ROYCE, at the next table at a hotel were three bully boys from the—three thugs from the secret police of Vietnam, very, very visibly standing up and taking pictures to let us know that they were watching. Of course, I took their picture as well. But that's the kind of intimidation campaign this wonderful wife of a dissident was experiencing.

Boat People at the SOS suggest that there are well over 625 political prisoners and religious prisoners, as we meet here tonight, who are suffering. And of course that number often goes up. One might be let out, two more incarcerated by this dictatorship.

Madam Speaker, H.R. 1897 is designed to promote the development of freedom of democracy in Vietnam. The bill will bring much-needed scrutiny to a seriously deteriorating situation. It stipulates that the United States can increase nonhumanitarian assistance to Vietnam above the 2012 levels only if the President is able to certify that the Government of Vietnam has made substantial progress in establishing a democracy and promoting human rights, including respecting religious freedom and the release of political prisoners and religious prisoners, repealing and revising laws that criminalize peaceful dissent, respecting human rights of members of all ethnic groups—there's an enormous amount of racism in Vietnam, particularly directed at people who happen to be Montagnard, and others—taking all appropriate steps, including the prosecution of government officials to end government complicity in that nefarious practice called human trafficking. There are also very clear benchmarks articulated in the legislation.

Madam Speaker, in the last 4 months alone, on April 11 and June 4, I've held two more congressional hearings on this deteriorating situation. We heard stories about individuals and groups who are being persecuted in a variety of ways. Their testimony confirmed that religious, political, and ethnic persecution has worsened, and that there is complicity by leadership, by the people who are in the Government of Vietnam, in human trafficking.

The U.S. Commission on International Religious Freedom, in 2013, in their report, noted:

> The Government of Vietnam continues to expand control over all religious activities, severely restricting independent religious practice and to repress individuals and religious groups it views as challenging their authority.

□ 2000

The Commission says very candidly that Vietnam ought to be a country of particular concern—a CPC designation—pursuant to the International Religious Freedom Act of 1998. Unfortunately, that was removed by President Bush—a misguided move on his part—in 2006, when it was thought that the bilateral trade agreement and the

permanent normal trading relations might lead to a matriculation from a dictatorship to a democracy. Things actually have gotten worse since this government got this trade benefit. Rights have suffered and people—real casualties—have endured unspeakable hardships.

Mr. Speaker, on several human rights trips to Vietnam, I have met, as has Chairman ROYCE and other Members—and I know when you meet these people you are forever moved—courageous leaders who struggle, sacrifice and endure numbing hardships, including torture, to promote fundamental human rights in their beloved country. Many of these remarkable individuals hale from virtually every denomination of faith, whether it be Christian, Falun Gong, or Buddhists, and suffer, again, horrifically because of their faith.

I met with the Venerable Thich Quang Do, under pagoda arrest—a great Buddhist leader who has been relegated to his pagoda. He couldn't step one foot outside of that pagoda without the secret police rushing in. He told me if he took one step out with me to say good-bye, there would be an onslaught of these bully boys who would push and shove or mistreat him.

I met with Father Ly when he was under house arrest before being re-arrested. He was a great democracy activist who was being so callously mistreated by this dictatorship. And he is only one of many.

It is not just the religious leaders in particular or individuals who are victimized by the government. Entire communities are also targeted by the regime. Mr. Tien Tran testified at our April 11 meeting and told my subcommittee of the brutality experienced by the Con Dau Catholic Parish, which has been repressed like you can't believe, Mr. Speaker. Individuals have been beaten to a pulp. Some have died. And they have confiscated their property. So they're kleptomaniacs as well.

Also, at the April 11 meeting we heard from the sister of a Vietnamese woman who was forced to work in a brothel in Russia with 14 other Vietnamese women. When there was an effort made by the Russian Government to liberate those women, it was the Embassy of Vietnam in Moscow that tipped off the traffickers—because they were complicit with them—to ensure that these women were not liberated but continued to be hurt by the traffickers. There was another one dealing with women who were trafficked to Jordan. Those officials of the Vietnamese Government were complicit in that as well.

Again, that's only the tip of the iceberg of this terrible complicity with heinous crimes against women.

I think the State Department report on trafficking was a good one, but they made a gross exception when it came to Vietnam, and actually improved their grade, when the information even in the narrative about Vietnam and the TIP report would have suggested otherwise.

I'm the prime author of the Trafficking Victims Protection Act and worked to create those minimum standards. It's appalling that Vietnam is not where it ought to be, a Tier 3 country, an egregious violator subject to sanctions.

This will be the fourth time, if this bill passes, Mr. Speaker, that we've been able to get the Vietnam Human Rights Act passed. In 2004, 2007, and last year, 2012, iterations of this bill have gotten over to the Senate, only to die through holds and other very nondemocratic means of suppressing the will of the Senate in working on this bill. I hope that changes.

We have seen a deterioration, as my colleagues and I have all pointed out tonight, in the human rights situation in Vietnam. It is time to stand with the oppressed people who are yearning to be free in Vietnam and to stand up against this dictatorship. It's time to meet with them, talk with them, and talk to President Sang, who was here last week to meet with President Obama, and lay down very specific benchmarks on simple respect for the fundamental liberties of people in Vietnam who just yearn to be free and to experience their God-given rights.

Mr. ENGEL. I yield back the balance of my time.

Mr. ROYCE. In closing, I, again, want to thank my colleague, Mr. SMITH from New Jersey, for his dedication to human rights in Vietnam, and for human rights in general, and for not only his work on this bill but, again, the time and energy that he has put into attempting to intervene on behalf of those who have been subject to these beatings that he has cited, to this maltreatment, to these long prison terms.

Last week, we had President Sang of Vietnam visiting Washington for the first official visit, I think, since 2007. While we've been assured that human rights were on the agenda during these meetings with the President and with the State Department, we did all we could to make certain that this time they were on the agenda. But I think the Vietnamese people need more than talk. And that is why we need to pass this legislation. It's a sign to all Vietnamese people that the U.S. is committed to the cause of human rights, but it is also leverage that can be used to guarantee some measure of attention from the regime.

This is Congress's chance to speak to those Vietnamese people who are yearning for freedom. It's our chance to do so by vocally supporting a human rights agenda in Vietnam. We've got to get this back on the agenda.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I fully support HR 1897—the Vietnam Human Rights Act and I thank my distinguished colleague from the Foreign Affairs Committee and champion of human rights—CHRIS SMITH for bringing this legislation forward and I am happy to cosponsor this bill.

We all want to see a prosperous, democratic and free Vietnam under which all people enjoy equal opportunities and fundamental freedoms.

This bill prohibits U.S. non-humanitarian assistance to the government of Vietnam unless the President certifies to Congress that Vietnam has made substantial progress respecting political, media, and religious freedoms, minority rights, access to U.S. refugee programs, and actions to end trafficking in persons and the release of political prisoners.

I continue to be concerned about the deteriorating human rights situation in Vietnam. The United States should stop sending American taxpayer money to governments that deny its citizens even the most basic human rights. Instead, we should leverage our assistance to push these governments into implementing democratic reforms, improving their human rights practices and allowing their citizens their fundamental rights, and that is what this bill will do.

My husband Dexter is a Vietnam combat veteran and former Army Ranger who was wounded defending the ideals of freedom and democracy—not just for Americans, but for all those who seek them. As the leading nation of the free world, the United States must stand with the Vietnamese people who are being brutally oppressed by their authoritarian government so that they may all live in a free and democratic country.

Ms. LOFGREN. Mr. Speaker, I rise today in support of H.R. 1897, the Vietnam Human Rights Act. I am proud to be an original cosponsor of this legislation, and I thank my colleague Mr. SMITH for introducing it.

This bill would prohibit any increase in U.S. non-humanitarian assistance to Vietnam until substantial progress has been made with regard to political and religious freedom for the citizens of Vietnam. The bill also expresses the sense of Congress that Vietnam should be designated as a Country of Particular Concern for religious freedom, and that the government does not meet the minimum standards for the elimination of human trafficking. In addition, the bill urges the Secretary of State to strongly oppose Vietnam's candidacy for membership on the United Nations Human Rights Council.

I strongly support this bill. Vietnam's record on human rights is appalling. The government in Vietnam continues to repress its citizens, including peaceful democracy activists, bloggers, and religious minorities. Reporters Without Borders ranks Vietnam as 172nd of 179 countries, only two places above China, and the U.S. Commission on International Religious Freedom has once again identified Vietnam as a "Tier 1 Country of Particular Concern," grouping it with nations such as North Korea, Burma, and Iran. The Vietnamese government has clearly indicated by its actions that it lacks a meaningful commitment to reform. This Congress needs to send a message to the government that the status quo is unacceptable, and if the Vietnamese government wants to continue to engage with the United States, these violations must end. I support this bill, and I urge my colleagues to do so as well.

The SPEAKER pro tempore (Mr. MESSER). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 1897, as amended

The question was taken.

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

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

The yeas and nays were ordered.

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

ENCOURAGING PEACE AND REUNIFICATION ON THE KOREAN PENINSULA

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 41) encouraging peace and reunification on the Korean Peninsula, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 41

Whereas the Republic of Korea (in this resolution referred to as ''South Korea'') and the Democratic People's Republic of Korea (in this resolution referred to as ''North Korea'') have never formally ended hostilities and have been technically in a state of war since the Armistice Agreement was signed on July 27, 1953;

Whereas the United States, representing the United Nations Forces Command which was a signatory to the Armistice Agreement, and with 28,500 of its troops currently stationed in South Korea, has a stake in the progress towards peace and reunification on the Korean Peninsula;

Whereas progress towards peace and reunification on the Korean Peninsula would mean greater security and prosperity for the region and the world;

Whereas, at the end of World War II, Korea officially gained independence from Japanese rule, as agreed to at the Cairo Conference on November 22, 1943, through November 26, 1943;

Whereas, on August 10, 1945, the Korean Peninsula was temporarily divided along the 38th parallel into two military occupation zones commanded by the United States and the Soviet Union;

Whereas, on June 25, 1950, communist North Korea attacked the South, thereby initiating the Korean War and diminishing prospects for a peaceful unification of Korea;

Whereas, during the Korean War, more than 36,000 members of the United States Armed Forces were killed and approximately 1,789,000 members of the United States Armed Forces served in-theater along with the South Korean forces and 20 other members of the United Nations to secure peace on the Korean Peninsula and in the Asia-Pacific region;

Whereas, since the end of the Korean War era, the United States Armed Forces have remained in South Korea to promote regional peace;

Whereas provocations by the Government of North Korea in recent years have escalated tension and instability in the Asia-Pacific region;

Whereas North Korea's human rights abuses, suppression of dissent, and hostility to South Korea remain significant obstacles to peace and reunification on the Korean Peninsula;

Whereas North Korea's economic policies have led to extreme economic privation for its citizens, whose quality of life ranks among the world's lowest;

Whereas North Korea's proliferation of nuclear and missile technology threatens international peace and stability;

Whereas North Korea has systematically violated numerous International Atomic Energy Agency and United Nations Security Council Resolutions with respect to its nuclear weapons and ballistic missile programs;

Whereas the refusal of the Government of North Korea to denuclearize disrupts peace and security on the Korean Peninsula;

Whereas, beginning in 2003, the United States, along with the two Koreas, Japan, the People's Republic of China, and the Russian Federation, have engaged in six rounds of Six-Party Talks aimed at the verifiable and irreversible denuclearization of the Korean Peninsula and finding a peaceful resolution to the security concerns resulting from North Korea's nuclear development;

Whereas the three-mile wide buffer zone between the two Koreas, known as the Demilitarized Zone, or DMZ, is the most heavily armed border in the world;

Whereas the Korean War separated more than 10,000,000 Korean family members, including 100,000 Korean Americans who, after 60 years of separation, are still waiting to see their families in North Korea;

Whereas reunification remains a long-term goal of South Korea;

Whereas South Korea and North Korea are both full members of the United Nations, whose stated purpose includes maintaining international peace and security, and to that end ''take effective collective measures for the prevention and removal of threats to the peace'';

Whereas the Governments and people of the United States and South Korea have continuously stood shoulder-to-shoulder to promote and defend international peace and security, economic prosperity, human rights, and the rule of law both on the Korean Peninsula and beyond, and the denuclearization of North Korea; and

Whereas July 27, 2013, marks the 60th anniversary of the Armistice Agreement of the Korean War: Now, therefore, be it

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

(1) recognizes the historical importance of the Korean War, which began on June 25, 1950;

(2) honors the noble service and sacrifice of members of the United States Armed Forces and the armed forces of allied countries that have served in Korea since 1950;

(3) reaffirms the commitment of the United States to its alliance with South Korea for the betterment of peace and prosperity on the Korean Peninsula; and

(4) calls on North Korea to respect the fundamental human rights of its citizens, abandon and dismantle its nuclear weapons program, and end its nuclear and missile proliferation as integral steps toward peace and eventual reunification.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. RANGEL), the author of this bill and a hero of the Korean War, who served his country with valor during that tough campaign. After surviving an onslaught by waves of Chinese troops, he led his surviving comrades, while wounded, to safety from behind enemy lines, for which he was awarded a Purple Heart and also a Bronze Star for Valor.

Mr. RANGEL. Mr. Speaker, I was prepared to respond to the chairman and ranking member for their legislative courtesies they had extended to me. I appreciate the tribute being paid to me which, unusually, I was awkwardly unprepared for. But I do want to thank the gentleman for his friendship in more ways than just this resolution, as well as Tom Sheehy, who worked with your staff, and, of course, my friend from New York, J.J., on the committee staff. He guided to make certain that this almost-legislatively impossible resolution was so expediently brought up to be considered by this august House.

On Saturday last, the President of the United States, along with our congressional colleague, who is now the Secretary of the Department of Defense, and the Secretaries of all of the Armed Forces groups, got together to honor the veterans of the Korean War. It was a sight to see so many Korean veterans from so many different parts of the country.

They were reminded by the President that we had been labeled—those that participated—as what was referred to as ''the forgotten war.'' Because most all of the world knew about the importance of America being involved in saving democracy in World War II. And Vietnam, for good or bad, everyone knew people that went there. But somehow, in the middle of that, no one really missed us or knew where Korea was—or it didn't appear there was too much concern. When we did return, unlike the Vietnam veterans, who really had unfairly been treated, but fortunately for us, we were never missed, except by our families and friends. People never knew where we were. The Congress was not as kind to us as they had been to the veterans.

Having said all of that, it was a wonderful tribute. Veterans turned out from all over. Certainly, there were comrades that were part of the 20 countries that were part of the United Nations. And when the North Koreans invaded South Korea, those of us that were called to go to South Korea to defend them were going to a country that we never knew to fight for a people that we never met and for causes that were not well known.

And the war has never really been called a war. It's never been called a truce. It still is a division between these people. But as a result of the United States and the United Nations' efforts, millions of lives lost—54,000

Americans killed, 100,000 Americans wounded, and close to 9,000 either captured or missing in action—one would say, With all of the blood and money, what did we get out of this?

And that's what we discussed Saturday with the Korean War veterans. What we got out of this was the integrity of the United States of America. That any commitment that we had made to the United Nations not only would we be participating but we would lead, as we did under the direction of General MacArthur.

And today, as we look back and see that, out of the rubble of a country that had been reduced by war, and we take a look at what exists in the northern part, as this division still exists today, in Communist North Korea, we have seen a people that had no jobs, no homes, no resources, but they did have hope.

□ 2015

Out of the South Korean hope and dream came a nation, a new nation, a nation that demonstrated what democratic people can do; an economy was built, and a friendship and a partnership with the United States and freedom-loving people all over the world.

So today, we don't just say as Korean veterans that we know where Korea is. We say that no matter how little a part we played, that we can look back and be proud as Americans that we have, in a small part, been possible to see this small nation become a world power, not only in terms of its military, but its friendship in terms of America's national defense; not only in terms of friendship, but being one of our wonderful trading partners that provides jobs for Koreans and Americans.

So it only makes sense, as a great country of ours that still has the scars of the Civil War, that we should want Koreans, North and South, to find some way to seek unity, to find some way to understand the values of democracy, to find some way that the thing that democracies are willing to fight and die for exists in that peninsula.

I want to specifically thank Hannah Kim of my office for doing what staff does for all of us in getting people even from the other body to understand how important this was to the President and to the Congress; and, of course, to the Speaker's staff, who worked closely with Chairman ROYCE—that's Mike Sommers and Dave Schnittger. And on the other side of the Capitol, Todd Womack, chief of staff of Senator CORKER, and Mike Henry and his gang, as chief of staff of Senator TIM KAINE.

And on behalf of all of the veterans, I can tell you, as I yield my time back to the chairman, that we all have felt that America really did love us; they just needed an opportunity to express it.

So we thank you for this resolution. It's not just for me and Koreans, but it's also for Korean Americans. So many Asians, and especially Korean Americans, they love Korea, but they love our country best.

Mr. ROYCE. I thank Mr. RANGEL, and I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I rise in support of House Concurrent Resolution 41, as amended, and I yield myself such time as I may consume.

Let me say, first of all, that I want to thank my colleague and friend from New York, Congressman RANGEL, for his service to our country in the Korean War; also, for his long service in the House of Representatives and for offering this important resolution.

If you grew up in New York, as I did, and you grew up in politics, everyone knows who CHARLIE RANGEL is, anyplace in New York—New York City or New York State. And now we actually have adjoining districts, back-to-back districts. He obviously means so much to so many people, and I'm proud to call him my colleague and even more proud to call him my friend. So I want to thank Congressman RANGEL, who sponsored this legislation. I want to thank our chairman, ED ROYCE, for his leadership as well on this resolution.

What this does is H.Con.Res 41 recognizes the historical importance of the Korean War, which ended 60 years ago this past weekend. The resolution also affirms the strong bonds between the United States and the Republic of Korea which were forged in blood during the Korean War.

During that conflict, nearly 1.8 million American soldiers served in the theater to defend freedom and democracy. Sadly, almost 55,000 were killed, over 100,000 were wounded, and about 8,000 were listed as missing in action or prisoners of war.

Just as I thank Congressman RANGEL, my good friend, I want to also say that the House has other Korean War veterans in the House—Representative JOHN CONYERS, Representative SAM JOHNSON, and Representative HOWARD COBLE. CHARLIE RANGEL and all the other Korean War veterans in the House I just mentioned all deserve our recognition and sincere thanks.

From the ruins of that conflict 60 years ago, we've seen the rise of a strong alliance between the United States and South Korea, the emergence of South Korea as one of the major economies of the world and a leading trading partner of the United States.

This past January, I visited South Korea with Chairman ROYCE, where we had an opportunity to meet South Korea's new President—and we also met her when she came here and spoke before the joint session of Congress a few months ago—and we also met with other senior officials when we were in Seoul. Based on these conversations, I can tell you that the U.S.-South Korea relationship has never been stronger. With the continued threat posed by North Korea, the U.S.-Korea alliance is needed more than ever to safeguard peace and stability in that region of the world.

More than 28,000 American armed services personnel serve in Korea today, and Chairman ROYCE and I met many of those people when we were over in Korea. And just as Korean War veterans fought for freedom, so, too, do these current-day defenders stand ready to help protect freedom on the Korean Peninsula and throughout the region.

So I urge my colleagues to support this resolution, and I reserve the balance of my time.

Mr. ROYCE. Well, Mr. Speaker, I would close my remarks by saying that I rise in strong support of this resolution.

I'd like to add my voice to others grateful for the sacrifices so many Americans made to protect the freedom of South Korea. And I again acknowledge the four Members of this House—Congressman CHARLIE RANGEL, JOHN CONYERS, SAM JOHNSON, and HOWARD COBLE—the veterans of that war, to thank them for their service in the Armed Forces.

I commend Congressman RANGEL for offering this resolution here on the 60th anniversary of this special relationship that we have with South Korea. We recall that 22 nations came together to defend the Republic of Korea, and fighting stopped 3 years later with an armistice that still remains in place. 5.7 million Americans served during that conflict. As noted, the casualties were 56,000, if you count those missing and presumed dead. Over 100,000 Americans were wounded in that war. And 140,000 South Koreas were killed in action, many of whom fought side by side with American forces for the cause of freedom. But when you calculate the more than 3 million Korean civilians killed in that conflict, you begin to appreciate the enormity of the human loss.

The heroic deeds of these servicemen, both Korean and American, laid the foundation for that alliance that we speak of here that has lasted some 60 years, but also brought relative stability, as Mr. RANGEL pointed out, to northeast Asia, and certainly laid that foundation for the prosperity that we see in Seoul and around the country today.

Yet Korea remains a divided peninsula. This is a calamity for the Korean people. The United States and South Korea have spent much of the last 20 years offering to engage North Korea with aid, with trade, and with diplomacy. All of these initiatives, unfortunately, have failed. And the North Korean response? Besides its aggressive behavior towards South Korea, the regime there continues to develop nuclear weapons, to test missiles, and to supply weapons to countries like Iran and Syria.

Mr. Chairman, we have tried many strategies. I think only one has worked, really, and that was financial pressure. I recall in 2005 when an Under Secretary of the Treasury caught North Korea counterfeiting $100 bills, so what he did was used the power of the U.S. financial system to cut off

Kim Jong Il's access to his vast offshore wealth. And while the North Korean people were starving at the time, as you know, the country's dictator had billions of dollars stashed away in foreign banks that suddenly he did not have access anymore to that money when the sanctions were put on the Banco Delta Asia. Blocking those accounts denied Kim Jong Il the cash he needed to sustain that vast police state, to sustain that million-man army, to pay for his nuclear weapons and his luxurious lifestyle.

For a while, the world had his attention. For a while, he wanted to come back to the table. I think that approach worked. I suspect North Korea will only change when it's forced to change, and I think we must resurrect a successful strategy of financial pressure.

But, Mr. Speaker, today what we do, what we dedicate ourselves to is recognizing the 60th anniversary of the Armistice Agreement of the Korean War. Importantly, this resolution not only honors the service and sacrifices of the members of the Armed Forces, but it also reaffirms our commitment to the U.S.-Korea alliance. And this resolution sends a message that the U.S. goal remains that which thousands of Americans, including four of our Members, fought for; that goal remains peace on the Korean Peninsula.

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

Mr. ENGEL. Before I yield back, I want to thoroughly embarrass my colleague and friend from New York because we found, in our cloakroom, this wonderful picture. This good-looking guy is CHARLIE RANGEL when he was a soldier in Korea. And now you know why he was elected to Congress. Anyone who looks that good, everyone votes for. It's nice to hold a picture of a hero.

Mr. RANGEL. If the gentleman would yield, I thank you so much, my dear colleague from New York.

Mr. ENGEL. I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I fully support H. Con. Res 41—Encouraging peace and reunification on the Korean Peninsula. I would like to thank Congressman RANGEL for bringing this bill forward and thank him for his service as a Korean War Veteran.

This past week marked the 60th Anniversary of the Korean War Armistice and I want to thank all of our service men and women who served and continue to serve in Korea. This timely resolution recognizes the historical importance of the Korean War and honors the service and sacrifice of the U.S. Armed Forces and the armed forces of allied countries that served, and continue to serve, in Korea. It reaffirms the commitment of the United States to our alliance with South Korea, and calls on North Korea to abide by international law and cease its nuclear proliferation in order to resume talks that could lead to peace and reunification.

As one of our strongest allies in that region, South Korea stands firmly for the ideals of democracy and freedom. This bill sends a strong message to the people of South Korea that we stand with them on their struggle against North Korean oppression. Our policy should be clear: the oppressive Pyongyang regime will face continued sanctions and isolation unless it ceases its illicit activities and its persistent threats against us and our allies.

I hope that one day Koreans will be able to reunite, and this bill helps promote this noble cause.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 41, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO THE DWIGHT D. EISENHOWER MEMORIAL COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 8162 of Public Law 106–79, as amended, and the order of the House of January 3, 2013, of the following Members on the part of the House to the Dwight D. Eisenhower Memorial Commission:

Mr. BISHOP, Georgia

Mr. THOMPSON, California

HONORING THE LIFE AND LEGACY OF GEORGE MITCHELL

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

Mr. OLSON. Mr. Speaker, as a member of the House Energy Action Team, I want to open this Special Order by paying tribute to a man who made American energy independence possible in the 21st century, George Mitchell.

Mr. Mitchell left us this past Friday. He was 94 years old, 6 years short of a century. He was truly a larger-than-life figure in Texas, America, and the world. He spent more than 20 years of his life risking tens of millions of his own dollars looking to unlock the natural gas and oil that he knew existed in shale plates all across this country.

□ 2030

In the mid-1990s, Mr. Mitchell finally succeeded in tapping into the Barnett shale plate outside of Dallas and Fort Worth. He got his first operation well, profit well, after 35 wells. The 36th one was the one that made the difference.

The Barnett shale plate led to the Haynesville shale plate in western Louisiana and eastern Texas. That led to the Marcellus shale plate in western New York, western Pennsylvania, and West Virginia. That led to the Bakken shale plate in North Dakota and eastern Montana. And that led back home to the Eagle Ford shale plate south of San Antonio, going down to the Rio Grande border with Mexico.

Mr. Mitchell came into this world with a very special title—''BOI,'' born on island, a title of reverence for someone who is born on Galveston Island. He was born on May 21, 1919. Galveston was still struggling to recover from America's worst natural disaster—the Galveston hurricane of 1900, in which at least 6,000 Americans died in one night in September of that year.

But being ''BOI,'' Mr. Mitchell did not despair. He felt resurgence, he felt hope. He took that resurgence and hope to College Station and Texas A&M University where he studied petroleum engineering and geology. He finished first in his class and was the captain of the varsity tennis team. Texas A&M gave him the tools he needed to succeed.

He gave tools back to Texas A&M. He donated $4.2 million for a new Aggie tennis stadium and $35 million for two new physics buildings.

When Alzheimer's took his wife of nearly 70 years, Cynthia, he gave the University of Texas Medical Branch in Galveston, Texas' oldest medical school, millions to study research like Alzheimer's.

He gave $20 million for biomedical research at the MD Anderson Cancer Center and brought Dr. Steven Hawking to Texas A&M to help with studying degenerative diseases, like the one Dr. Hawking had that he overcame for most of his adult life.

George Mitchell literally built The Woodlands north of Houston, one of the fastest growing and safest communities in America. George Mitchell has a very special place in my heart because my daughter, Kate, saw her idol Taylor Swift at the Cynthia Woods Mitchell Pavilion in The Woodlands.

Mr. Mitchell never forgot his hometown of Galveston, Texas. He had the vision to restore the Galveston Strand, bringing the cruise ships back to Galveston, and started a Mardi Gras celebration larger than New Orleans.

George Mitchell was a visionary who tapped into American exceptionalism and left a lasting mark on Texas, America, and the world.

George Mitchell gave my kids and every kid in America a very special gift—the gift of freedom that comes from knowing that a foreign nation cannot hurt our economy by taking away the oil and gas we need.

I saw this firsthand in 1979 when the Ayatollah overthrew the Shah of Iran. The Shah came here to America in exile being treated for cancer that ultimately took his life. The Arab world was not happy that we let the Shah come to America, and so OPEC took away every drop of oil that they had been giving our country for over 20 years.

I was 16 years old when that happened. I had just got my driver's license. My job was to drive our Chevy

Silverado pick-up truck down to the gas station, depending upon the last digit of my license plate, odd or even, to fill up the truck with a maximum of 20 gallons of gasoline. The price of that gasoline doubled overnight.

Because of George Mitchell, American children will never have to go through that again if we can follow his dream of developing shale plates all across this great Nation.

George Mitchell embodied the qualities of hard work, innovation, compassion, and a can-do spirit that make America the greatest Nation on Earth.

We are better off today because of George and Cynthia Mitchell. May God bless the Mitchell family, their 10 children, and everyone whose life was touched by their presence.

In naval aviation we say ''bravo zulu, Mr. Mitchell, bravo zulu.'' You are cleared to depart the pattern and rejoin Cynthia in a life of shared eternity.

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

RECESS

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

Accordingly (at 8 o'clock and 37 minutes p.m.), the House stood in recess.

□ 2138

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN) at 9 o'clock and 38 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 367, REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2013; PROVIDING FOR CONSIDERATION OF H.R. 2009, KEEP THE IRS OFF YOUR HEALTH CARE ACT OF 2013; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM AUGUST 3, 2013, THROUGH SEPTEMBER 6, 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 2879, STOP GOVERNMENT ABUSE ACT

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 113–187) on the resolution (H. Res. 322) providing for consideration of the bill (H.R. 367) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; providing for consideration of the bill (H.R. 2009) to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; providing for proceedings during the period from August 3, 2013, through September 6, 2013; and providing for consideration of the bill (H.R. 2879) to provide limitations on bonuses for Federal employees during sequestration, to provide for investigative leave requirements for members of the Senior Executive Service, to establish certain procedures for conducting in-person or telephonic interactions by executive branch employees with individuals, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MEADOWS (at the request of Mr. CANTOR) for July 30 on account of attending the installation of Sheriff Frye as president of the Sheriffs' Association in Wilmington, North Carolina.

Mr. MILLER of Florida (at the request of Mr. CANTOR) for today after 6 p.m. and the balance of the week on account of attending the funeral of Colonel George E. ''Bud'' Day, Medal of Honor recipient.

Mr. YOUNG of Florida (at the request of Mr. CANTOR) for today on account of bronchitis.

ADJOURNMENT

Mr. COLE. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 40 minutes p.m.), consistent with the fourth clause in section 5 of article I of the Constitution, and notwithstanding section 132 of the Legislative Reorganization Act of 1946, under its previous order, the House adjourned until tomorrow, Thursday, August 1, 2013, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the second quarter of 2013 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. FRANK D. LUCAS, Chairman, July 19, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Tom Rice	5/26	5/27	Kosovo		194.95						194.95
	5/27	5/28	Germany		267.08						267.08
	5/28	5/29	Qatar		339.77						339.77
	5/29	5/31	Afghanistan		56.00						56.00
	5/31	6/1	United Arab Emirates								
							11,826.45				11,826.45
Hon. Bill Flores	4/19	4/19	United Arab Emirates								
	4/19	4/29	Afghanistan		43.00						43.00
	4/29	4/29	Bahrain		124.00						124.00
							10,709.60				10,709.60
Committee total					1,024.80		22,536.05				23,560.85

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. PAUL RYAN, Chairman, July 24, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
David Redl	5/13	5/17	Switzerland		1,597.41		2,002.70				3600.11
Shawn Chang	5/13	5/17	Switzerland		1,597.41		2002.70				3600.11
Hon. Michael C. Burgess	5/24	5/25	United Arab Emirates		372.00		13,065.10				13,437.10
	5/25	5/26	Afghanistan		28.00						28.00
	5/26	5/27	United Arab Emirates		221.07						221.07
Committee total					3,815.89		17,070.50				20,886.39

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Includes entire roundtrip for the Honorable Michael C. Burgess.

HON. FRED UPTON, Chairman, June 17, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Judy Chu	5/24	5/24	Cuba				415.90				415.90
Committee total							415.90				415.90

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BOB GOODLATTE, Chairman, July 23, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LAMAR SMITH, Chairman, July 24, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Steve King	5/28	6/3	Russia		3,588.00		20,207.42				23,795.42
Committee total					3,588.00		20,207.42				23,795.42

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. SAM GRAVES, Chairman, July 15, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Chairman, July 16, 2013.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2433. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

2434. A letter from the Secretary, Department of Health and Human Services, transmitting FY 2012 PDUFA financial report to Congress required by the Prescription Drug User Fee Act, as amended; to the Committee on Energy and Commerce.

2435. A letter from the Deputy Director, Office of State, Local, and Tribal Affairs, Office of National Drug Control Policy, transmitting the Annual Progress and Evaluation Report on the National Youth Anti-Drug Media Campaign for Fiscal Year 2012; to the Committee on Energy and Commerce.

2436. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-37, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2437. A letter from the General Counsel, Peace Corps, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2438. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Grouper Fishery of the South Atlantic; 2013 Commercial Accountability Measure and Closure for the South Atlantic Lesser Amberjack, Almaco Jack, and Banded Rudderfish Complex [Docket No.: 100812345-2142-03] (RIN: 0648-XC714) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2439. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC722) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2440. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC724) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2441. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Grouper Fishery of the South Atlantic; 2013 Recreational Accountability Measure and Closure for South Atlantic Golden Tilefish [Docket No.: 120403249-2492-02] (RIN: 0648-XC671) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2442. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Amendment 4 to the Corals and Reef Associated Plants and Invertebrates Fishery Management Plan of Puerto Rico and the U.S. Virgin Islands; Seagrass Management [Docket No.: 120718255-3500-02] (RIN: 0648-BC38) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2443. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Amendment 94 to the Gulf of Alaska Fishery Management Plan and Regulatory Amendments for Community Quota Entities [Docket No.: 120223143-3489-02] (RIN: 0648-BB94) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2444. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Actions #4 and #5 [Docket No.: 130108020-3409-01] (RIN: 0648-XC705) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2445. A letter from the Director, Administrative Office of the United States Courts, transmitting the 2012 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005; to the Committee on the Judiciary.

2446. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Boothbay, ME [Docket No.: FAA-2012-0792; Airspace Docket No.: 12-ANE-00] received July 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2447. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Coverage of Certain Preventive Services Under the Affordable Care Act [TD-9624] (RIN: 1545-BJ60) received July 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2448. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's quarterly report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated July 15, 2013); jointly to the Committees on Armed Services and Appropriations.

2449. A letter from the Secretaries, Department of the Interior, Department of Defense, Department of State, transmitting draft legislation to amend Title I of Public Law 99-658 (100 Stat. 3672), regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau; jointly to the Committees on the Judiciary, Foreign Affairs, and Natural Resources.

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. ISSA: Committee on Oversight and Government Reform. H.R. 2579. A bill to amend title 5, United States Code, to provide for investigative leave requirements with respect to Senior Executive Service employees, and for other purposes; with an amendment (Rept. 113–186). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 322. Resolution providing for consideration of the bill (H.R. 367) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; providing for consideration of the bill (H.R. 2009) to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; providing for proceedings during the period from August 3, 2013, through September 6, 2013; and providing for consideration of the bill (H.R. 2879) to provide limitations on bonuses for Federal employees during sequestration, to provide for investigative leave requirements for members of the Senior Executive Service, to establish certain procedures for conducting in-person or telephonic interactions by Executive branch employees with individuals, and for other purposes. (Rept. 113–187). Referred to the House Calendar.

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. ROGERS of Michigan (for himself and Ms. MATSUI):

H.R. 2869. A bill to amend title XVIII of the Social Security Act to establish payment parity under the Medicare program for ambulatory cancer care services furnished in the hospital outpatient department and the physician office setting; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas (for himself, Mr. CROWLEY, Ms. JENKINS, Mr. BLUMENAUER, Mr. RANGEL, Mr. ROSKAM, Mr. PASCRELL, Mr. VAN HOLLEN, Mr. SAM JOHNSON of Texas, Mr. LARSON of Connecticut, Mr. SESSIONS, Mr. GERLACH, Mr. KIND, and Mr. KING of New York):

H.R. 2870. A bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes; to the Committee on Ways and Means.

By Mr. COBLE (for himself, Mr. WATT, Mr. HOLDING, and Mr. THOMPSON of Mississippi):

H.R. 2871. A bill to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes; to the Committee on the Judiciary.

By Ms. LORETTA SANCHEZ of California:

H.R. 2872. A bill to secure the borders of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Foreign Affairs, the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESTY:

H.R. 2873. A bill to evaluate and authorize the continuation of the activities of the Economy, Energy, and Environment (E3) Initiative to Support Sustainable Manufacturing, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, Education and the Workforce, Small Business, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HONDA, Ms. TSONGAS, Mr. KEATING, Ms. JACKSON LEE, Ms. LEE of California, Ms. SPEIER, Mr. MORAN, Mr. CONYERS, Mr. MCGOVERN, and Mr. FARR):

H.R. 2874. A bill to ensure that the United States promotes women's meaningful inclusion and participation in mediation and negotiation processes undertaken in order to prevent, mitigate, and resolve violent conflict and implements the United States National Action Plan on Women, Peace, and Security; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 2875. A bill to authorize programs and activities for the improvement and protection of ports and harbors, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, and Armed Services, 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. FLORES (for himself, Mr. BENISHEK, Mr. COOK, Mr. GOHMERT, Mr. ROE of Tennessee, Mr. FLEMING, and Mr. COFFMAN):

H.R. 2876. A bill to amend the Internal Revenue Code of 1986 to provide veterans with a 1-year exemption from the requirement to maintain minimum essential coverage under the Patient Protection and Affordable Care Act; to the Committee on Ways and Means.

By Mr. FLORES (for himself, Mr. GENE GREEN of Texas, Mr. MARINO, Mr. CUELLAR, Mr. OLSON, and Mr. MICHAUD):

H.R. 2877. A bill to prevent certain discriminatory taxation of natural gas pipeline property; to the Committee on the Judiciary.

By Mr. PRICE of North Carolina (for himself, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CONYERS, Mr. GRIJALVA, Mr. MCINTYRE, Ms. BORDALLO, and Mr. WALZ):

H.R. 2878. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants for innovative teacher retention programs; to the Committee on Education and the Workforce.

By Ms. JENKINS (for herself, Mr. MEADOWS, and Mr. KELLY of Pennsylvania):

H.R. 2879. A bill to provide limitations on bonuses for Federal employees during sequestration, to provide for investigative leave requirements for members of the Senior Executive Service, to establish certain procedures for conducting in-person or telephonic interactions by Executive branch employees with individuals, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND:

H.R. 2880. A bill to require the Secretary of Education to use the excess revenue generated from the William D. Ford Federal Direct Loan Program to carry out the Federal Pell Grant Program; to the Committee on Education and the Workforce.

By Mr. BUTTERFIELD (for himself, Mr. PRICE of North Carolina, Ms. LEE of California, Mrs. BEATTY, Ms. KELLY of Illinois, Ms. JACKSON LEE, Mr. MCINTYRE, Mr. BISHOP of Georgia, Mr. JEFFRIES, Mr. PAYNE, Ms. BASS, Mr. CARSON of Indiana, Ms. CLARKE, Mr. RICHMOND, Mr. LEWIS, Ms. KAPTUR, Mr. CLEAVER, Mr. SCOTT of Virginia, Ms. BROWN of Florida, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 2881. A bill to amend the Higher Education Act of 1965 to increase the amount of loan forgiveness available to highly-qualified teachers employed in low-income schools who teach in the same school district for five consecutive years; to the Committee on Education and the Workforce.

By Mr. COFFMAN (for himself, Mr. GRAVES of Missouri, Mr. MILLER of Florida, Mr. FLORES, Mr. HANNA, and Mr. CONNOLLY):

H.R. 2882. A bill to amend the Small Business Act and title 38, United States Code to provide for a consolidated definition of a small business concern owned and controlled by veterans, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Small Business, 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. COOPER (for himself and Mr. RYAN of Wisconsin):

H.R. 2883. A bill to provide, for purposes of mitigating the effects of a sequestration, the Secretary of Defense transfer authority with respect to amounts made available to the Department of Defense in fiscal years 2014 through 2021, and for other purposes; to the Committee on Appropriations.

By Mr. CUMMINGS:

H.R. 2884. A bill to require the Attorney General to make competitive grants to State, tribal, and local governments to establish and maintain witness protection and assistance programs; to the Committee on the Judiciary.

By Mr. FLEISCHMANN:

H.R. 2885. A bill to amend the Internal Revenue Code of 1986 to temporarily exclude capital gain from gross income; to the Committee on Ways and Means.

By Mr. HUNTER (for himself and Mr. CULBERSON):

H.R. 2886. A bill to require agency notice and receipt of public comment before using any estimate for the social cost of carbon, to require reports on the results of and methods used to calculate any cost-benefit or regulatory impact analysis, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself, Mr. ENGEL, Ms. MENG, Mr. SIRES, Mr. CROWLEY, Mr. KING of New York, Mr. NADLER, Mr. PALLONE, Mrs. MCCARTHY of New York, Mr. JEFFRIES, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE, and Mr. PASCRELL):

H.R. 2887. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for condominiums and housing cooperatives damaged by a major disaster, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. CONYERS, Mr. CROWLEY, Mr. FARR, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. LOFGREN, Ms. MCCOLLUM, Mr. MCDERMOTT, Ms. MOORE, Mr. MORAN, and Ms. SPEIER):

H.R. 2888. A bill to authorize assistance to aid in the prevention and treatment of obstetric fistula in foreign countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GEORGE MILLER of California (for himself, Ms. SCHAKOWSKY, Ms. KAPTUR, Mr. NADLER, Mr. LEWIS, Ms. MOORE, Ms. CLARKE, Mr. HINOJOSA, Mr. CONYERS, Mr. HOLT, Mr. POCAN, Ms. SLAUGHTER, Mr. HUFFMAN, Mr. CARTWRIGHT, Ms. BROWNLEY of California, Ms. NORTON, Ms. FRANKEL of Florida, and Mr. SABLAN):

H.R. 2889. A bill to provide funds to States, units of general local government, and community-based organizations to save and create local jobs through the retention, restoration, or expansion of services needed by local communities, and for other purposes; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 2890. A bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for investment in the District of Columbia; to the Committee on Ways and Means.

By Mr. PALLONE:

H.R. 2891. A bill to amend the Solid Waste Disposal Act to require the Administrator of the Environmental Protection Agency to promulgate regulations on the management of medical waste; to the Committee on Energy and Commerce.

By Mr. PERLMUTTER (for himself and Mr. BACHUS):

H.R. 2892. A bill to amend the Fair Debt Collection Practices Act to preclude law firms and licensed attorneys from the definition of a debt collector when taking certain actions; to the Committee on Financial Services.

By Mr. RANGEL (for himself, Ms. BASS, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONYERS, Mr. CUMMINGS, Mr. ELLISON, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KING of New York, Ms. LEE of California, Mr. LEWIS, Mr. MCDERMOTT, Mr. MEEKS, Mr. PAYNE, Mr. RUSH, Mr. SERRANO, Ms. SLAUGHTER, Ms. WATERS, Ms. WILSON of Florida, and Mrs. CAROLYN B. MALONEY of New York):

H.R. 2893. A bill to address the dramatic increase of HIV/AIDS in minority communities; to the Committee on Energy and Commerce.

By Mr. RIBBLE:

H.R. 2894. A bill to discontinue eligibility of former Members of Congress and their dependents for coverage under the Federal Employees Health Benefit Program (FEHBP) if the Patient Protection and Affordable Care Act is repealed; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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. RICHMOND:

H.R. 2895. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes; to the Committee on Education and the Workforce, 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 Ms. SLAUGHTER (for herself, Mr. HIGGINS, Mr. MAFFEI, and Mr. TONKO):

H.R. 2896. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, 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. TAKANO:

H.R. 2897. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants for core curriculum development; to the Committee on Education and the Workforce.

By Mr. THOMPSON of Mississippi (for himself, Mr. HARPER, and Mr. PALAZZO):

H.R. 2898. A bill to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi, and for other purposes; to the Committee on the Judiciary.

By Mr. WELCH (for himself and Mr. HANNA):

H.R. 2899. A bill to amend the Internal Revenue Code of 1986 to increase the quarterly wages paid threshold for classification as an agricultural labor employer for purposes of unemployment taxes; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

110. The SPEAKER presented a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 13 supporting the congressional action to reverse the suspension of new student enrollments in the Job Corps; to the Committee on Education and the Workforce.

111. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 2 commending its conscientious educators who teach about human rights and genocide; to the Committee on Foreign Affairs.

112. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 151 encouraging and supporting the Nagorno Karabakh Republic's continuing efforts to develop as a free and independent nation in order to guarantee its citizens those rights inherent in a free and independent society; to the Committee on Foreign Affairs.

113. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 180 memorializing the Congress to take such actions as are necessary to operate the fleet of the United States Postal Service vehicles on natural gas; to the Committee on Oversight and Government Reform.

114. Also, a memorial of the General Assembly of the State of Utah, relative to Joint Resolution H.J.R. 4 memorializing Congress to pass S. 336 and H.R. 684, the Marketplace Fairness Act; to the Committee on the Judiciary.

115. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 192 urging and requesting the Louisiana Congressional Delegation to review the basis for the discontinuance of funding of the Bossier Sheriff's Young Marines Program through a Juvenile Accountability Block Grant with the U.S. Department of Justice, Office of Civil Rights; to the Committee on the Judiciary.

116. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 88 memorializing Congress to adopt the Constitution Restoration Act; to the Committee on the Judiciary.

117. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 7 urging the President and the Congress to exclude Social Security, Medicare, and Medicaid from being part of any legislation to reduce the federal deficit; jointly to the Committees on Energy and Commerce and Ways and Means.

118. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 81 urging the Congress to enact federal legislation to propose a constitutional amendment granting full voting rights residents of the District of Columbia; jointly to the Committees on Oversight and Government Reform and the Judiciary.

119. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 119 memoralizing Congress to establish a task force to study and make recommendations relative to implementation of the Federal REAL ID Act of 2005 in Louisiana; jointly to the Committees on the Judiciary, Homeland Security, and Oversight and Government Reform.

120. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 125 memorializing Congress to urge the U.S. Department of State to approve the Presidential permit application allowing the construction and operation of the TransCanada Keystone XL pipeline between the United States and Canada; jointly to the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources.

121. Also, a memorial of the Legislature of the Commonwealth of Virgin Islands, relative to Resolution No. 1794 memorializing Congress to pass and adopt H.R. 92, which would authorize a grant to the Virgin Islands Water and Power Authority to alleviate the energy crisis in the territory; jointly to the Committees on Energy and Commerce, Transportation and Infrastructure, Financial Services, and Education and the Workforce.

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. ROGERS of Michigan:

H.R. 2869.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. BRADY of Texas:

H.R. 2870.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COBLE:

H.R. 2871.

Congress has the power to enact this legislation pursuant to the following:

Article III, Section I of the U.S. Constitution.

By Ms. LORETTA SANCHEZ of California:

H.R. 2872.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4: To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Ms. ESTY:

H.R. 2873.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. SCHAKOWSKY:

H.R. 2874.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the powers of Congress, as enumerated in Article I, Section 8.

By Ms. VELÁZQUEZ:

H.R. 2875.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution

By Mr. FLORES:

H.R. 2876.

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. FLORES:

H.R. 2877.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mr. PRICE of North Carolina:

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution provides Congress with the authority to ''make all Laws which shall be necessary and proper'' to provide for the ''general Welfare'' of Americans. In the Department of Education Organization Act (P.L. 96–88), Congress declared that ''the establishment of a Department of Education is in the public interest, will promote the general welfare of the United States, will help ensure that education issues receive proper treatment at the Federal level, and will enable the Federal Government to coordinate its education activities more effectively.'' The Department of Education's mission is to ''promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.''

By Ms. JENKINS:

H.R. 2879.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18,—''To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.''

By Mr. KIND:

H.R. 2880.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BUTTERFIELD:

H.R. 2881.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. COFFMAN:

H.R. 2882.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. COOPER:

H.R. 2883.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the U.S. Constitution.

By Mr. CUMMINGS:

H.R. 2884.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. FLEISCHMANN:

H.R. 2885.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. HUNTER:

H.R. 2886.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under article I of the United States Constitution, including the power granted to Congress under article I, section 8, clauses 3 and 18, of the United States Constitution.

By Mr. ISRAEL:

H.R. 2887.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2888.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which reads: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mr. GEORGE MILLER of California:

H.R. 2889.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, 3, and 18 of the Constitution of the United States; Article I, Section 9, Clause 7 of the Constitution of the United States.

By Ms. NORTON:

H.R. 2890.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Mr. PALLONE:

H.R. 2891.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PERLMUTTER:

H.R. 2892.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. RANGEL:

H.R. 2893.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 ''to provide for the common Defense and Welfare of the United States.''

By Mr. RIBBLE:

H.R. 2894.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. RICHMOND:

H.R. 2895.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for this bill stems from Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. SLAUGHTER:

H.R. 2896.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution.

By Mr. TAKANO:

H.R. 2897.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. THOMPSON of Mississippi:

H.R. 2898.

Congress has the power to enact this legislation pursuant to the following:

Clause IX and clause XVIII of section VIII of Article I of the Constitution; and section I of Article III of the Constitution.

By Mr. WELCH:

H.R. 2899.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof. . .

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. FRANKS of Arizona.
H.R. 25: Mrs. BACHMANN.
H.R. 107: Mr. PITTENGER and Mr. FLORES.
H.R. 129: Mr. LOWENTHAL and Mr. HOLT.
H.R. 183: Mr. MORAN.
H.R. 259: Mr. ROONEY, Mr. DESJARLAIS, Mr. MEADOWS, Mr. BRIDENSTINE, and Mr. DESANTIS.
H.R. 280: Mr. CARTWRIGHT.
H.R. 303: Mr. MILLER of Florida.
H.R. 320: Mr. NEAL.
H.R. 322: Mr. YOHO.
H.R. 351: Ms. ESTY.
H.R. 366: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SERRANO, Mr. WITTMAN, and Mr. FORBES.
H.R. 411: Mr. MATHESON.
H.R. 436: Mr. GRAVES of Georgia, Mr. ROGERS of Michigan, Mr. MCCAUL, Mr. CASSIDY, Mr. CRAWFORD, Mr. DESANTIS, Mr. STEWART, Mr. FLORES, Mr. AUSTIN SCOTT of Georgia, and Mr. GINGREY of Georgia.
H.R. 495: Mr. MULVANEY, Mr. HULTGREN, Mrs. CAPITO, and Mr. HUDSON.
H.R. 508: Ms. DELBENE.
H.R. 515: Mr. BISHOP of New York.
H.R. 523: Mr. JORDAN.
H.R. 525: Mr. O'ROURKE.
H.R. 526: Mr. CARSON of Indiana, Mrs. CAPPS, and Mr. LOWENTHAL.
H.R. 543: Mr. TAKANO.
H.R. 556: Mr. REICHERT.
H.R. 609: Mr. MURPHY of Florida.
H.R. 647: Mr. FORTENBERRY, Mr. NEUGEBAUER, Mr. SIMPSON, Mr. TERRY, Mr. DESANTIS, Mr. RADEL, Mr. PITTENGER, and Mr. FARENTHOLD.
H.R. 679: Mr. STIVERS.
H.R. 685: Mr. VEASEY, Mr. JORDAN, Mr. HUIZENGA of Michigan, Mrs. KIRKPATRICK, Mr. LOBIONDO, Mr. GINGREY of Georgia, and Mr. MCKEON.
H.R. 686: Mr. KIND.
H.R. 721: Mr. WALZ.
H.R. 794: Ms. LOFGREN.
H.R. 808: Mr. HOLT.
H.R. 822: Mr. YARMUTH.
H.R. 842: Mr. PERLMUTTER.
H.R. 855: Mr. RICE of South Carolina.
H.R. 920: Mr. RICE of South Carolina.
H.R. 938: Mr. WITTMAN.
H.R. 946: Mr. MARCHANT.
H.R. 960: Mr. MCINTYRE.
H.R. 961: Mr. NEAL.
H.R. 975: Mr. STIVERS.
H.R. 997: Mr. WOMACK.
H.R. 1000: Ms. CHU and Ms. CLARKE.
H.R. 1020: Mr. MASSIE.
H.R. 1024: Ms. CHU, Mr. VALADAO, and Mr. ROONEY.
H.R. 1027: Mr. COURTNEY.
H.R. 1095: Mr. LUETKEMEYER, Mr. RYAN of Ohio, and Mr. KING of Iowa.
H.R. 1105: Mr. LUETKEMEYER and Mr. PETERSON.
H.R. 1123: Mr. CHAFFETZ and Ms. MCCOLLUM.
H.R. 1139: Mrs. NEGRETE MCLEOD.
H.R. 1154: Ms. BASS.
H.R. 1176: Mr. LATTA.
H.R. 1179: Mr. PETERS of California.
H.R. 1186: Mr. MCCLINTOCK and Mr. TAKANO.
H.R. 1209: Mr. MURPHY of Florida.
H.R. 1226: Mr. MCCLINTOCK, Mr. UPTON, and Ms. JENKINS.
H.R. 1250: Mr. WILLIAMS and Mr. WOMACK.
H.R. 1254: Mr. WEBER of Texas and Mr. BARR.
H.R. 1287: Mr. HUIZENGA of Michigan.
H.R. 1288: Mr. O'ROURKE.
H.R. 1313: Ms. SHEA-PORTER.
H.R. 1339: Mr. GENE GREEN of Texas.
H.R. 1351: Mr. KIND and Mrs. KIRKPATRICK.
H.R. 1354: Mr. FARENTHOLD, Mr. GARDNER, and Mr. CARNEY.
H.R. 1420: Ms. SHEA-PORTER.
H.R. 1466: Mr. KENNEDY.
H.R. 1488: Mr. CARTWRIGHT.
H.R. 1518: Mr. TURNER and Mr. PAULSEN.
H.R. 1526: Mr. MULLIN.
H.R. 1563: Mr. KILMER, Mr. YOHO, Mr. HUFFMAN, Mr. SCHNEIDER, and Mr. CLEAVER.
H.R. 1571: Mr. NUNNELEE.
H.R. 1579: Mr. HUFFMAN.
H.R. 1587: Mr. COTTON.
H.R. 1620: Mr. DEUTCH.
H.R. 1661: Mr. DAVID SCOTT of Georgia and Mr. COHEN.
H.R. 1701: Mr. COLE.
H.R. 1708: Mr. YOUNG of Indiana.
H.R. 1716: Mr. HANNA.
H.R. 1717: Mr. BISHOP of Georgia.
H.R. 1728: Ms. SPEIER, Mr. VEASEY, Mr. SARBANES, Ms. MENG, Mr. MCGOVERN, Mr. TIERNEY, Mr. MEEKS, Ms. NORTON, and Ms. KELLY of Illinois.
H.R. 1771: Mr. HUIZENGA of Michigan.
H.R. 1798: Mr. CLAY.
H.R. 1801: Mr. BONNER and Mr. CLAY.
H.R. 1814: Mr. JOYCE.
H.R. 1825: Mr. RICE of South Carolina and Mrs. WALORSKI.
H.R. 1827: Mr. HASTINGS of Florida.
H.R. 1845: Mr. TONKO.
H.R. 1847: Mr. NUGENT, Mr. FARENTHOLD, Mr. BRIDENSTINE, Mr. BENTIVOLIO, Mr. BENISHEK, Mr. MEADOWS, and Ms. SINEMA.
H.R. 1869: Mr. DELANEY.
H.R. 1878: Mr. ROONEY.
H.R. 1959: Mr. VEASEY.
H.R. 1962: Mr. WALZ.
H.R. 1985: Mr. GERLACH and Mr. ENGEL.
H.R. 1995: Mr. MORAN.
H.R. 1998: Mr. QUIGLEY.
H.R. 2000: Mrs. DAVIS of California.
H.R. 2009: Mrs. MCMORRIS RODGERS, Mr. GARDNER, and Mr. HULTGREN.
H.R. 2019: Mr. RICE of South Carolina and Mr. WENSTRUP.
H.R. 2041: Mr. MURPHY of Florida.
H.R. 2044: Mr. LOWENTHAL.
H.R. 2052: Mr. LEVIN.
H.R. 2085: Mr. ROKITA.
H.R. 2116: Ms. BONAMICI.
H.R. 2199: Mr. GARAMENDI.
H.R. 2239: Mr. GOHMERT.
H.R. 2255: Mr. MORAN.
H.R. 2288: Mr. WITTMAN.

H.R. 2296: Mr. HUFFMAN and Mr. HECK of Washington.
H.R. 2300: Mr. RICE of South Carolina.
H.R. 2305: Mr. JONES.
H.R. 2308: Mr. CLAY.
H.R. 2315: Mr. GRIFFIN of Arkansas.
H.R. 2324: Mr. O'ROURKE.
H.R. 2330: Mr. ANDREWS.
H.R. 2347: Mr. LABRADOR and Mr. RICE of South Carolina.
H.R. 2415: Mr. TERRY, Mr. GRIFFIN of Arkansas, and Mr. KINZINGER of Illinois.
H.R. 2429: Mr. LABRADOR, Mr. THOMPSON of Pennsylvania, Mr. RUNYAN, Mrs. LUMMIS, Mr. MEEHAN, Mr. BILIRAKIS, Mr. WENSTRUP, Mr. MILLER of Florida, and Mr. RICE of South Carolina.
H.R. 2457: Mr. VARGAS.
H.R. 2480: Ms. BONAMICI.
H.R. 2485: Ms. BONAMICI and Ms. KUSTER.
H.R. 2506: Mr. DELANEY.
H.R. 2519: Mr. MCDERMOTT.
H.R. 2537: Mrs. BLACKBURN.
H.R. 2549: Mr. HUFFMAN.
H.R. 2565: Mr. GARCIA.
H.R. 2575: Mr. DENHAM and Mr. TURNER.
H.R. 2579: Mr. BRADY of Texas.
H.R. 2588: Mr. PEARCE.
H.R. 2590: Ms. JENKINS.
H.R. 2591: Mr. WALBERG.
H.R. 2607: Mr. GRIMM, Mr. MORAN, and Mr. POSEY.
H.R. 2619: Mr. COURTNEY.
H.R. 2632: Mr. BEN RAY LUJÁN of New Mexico and Ms. BONAMICI.
H.R. 2654: Mr. WHITFIELD and Mr. TIERNEY.
H.R. 2660: Mr. CARSON of Indiana.
H.R. 2679: Mr. SAM JOHNSON of Texas.
H.R. 2682: Mr. GOHMERT, Mr. AMASH, Mrs. BROOKS of Indiana, Mr. BUCSHON, Mr. LONG, Mr. RICE of South Carolina, Mrs. LUMMIS, Mr. JORDAN, Mr. PEARCE, Mrs. NOEM, Mr. SCHWEIKERT, Mrs. BLACKBURN, Mr. STEWART, Mr. GIBBS, Mr. WOODALL and Mr. YOUNG of Indiana.
H.R. 2689: Mr. MCKINLEY and Mr. PAULSEN.
H.R. 2692: Mr. QUIGLEY.
H.R. 2706: Mr. LOEBSACK.
H.R. 2717: Mr. LATTA, Ms. GRANGER, Mr. GRIFFITH of Virginia, Mr. COLLINS of Georgia, Mr. BRIDENSTINE, Ms. FRANKEL of Florida, and Mr. BROUN of Georgia.
H.R. 2720: Mr. LEWIS.
H.R. 2725: Mrs. BLACKBURN, Mr. SCHNEIDER, Mr. TAKANO, Mr. LAMALFA, Mr. HUFFMAN, Mrs. DAVIS of California, Mr. MATHESON, Mr. SWALWELL of California, Mr. KINZINGER of Illinois, and Mr. GARDNER.
H.R. 2726: Mr. ROONEY.
H.R. 2728: Mr. CRAMER and Mr. FLEMING.
H.R. 2768: Mr. BRADY of Texas.
H.R. 2769: Mr. BRADY of Texas.
H.R. 2772: Ms. JACKSON LEE and Mr. SMITH of Washington.
H.R. 2773: Mr. POCAN.
H.R. 2775: Mr. BROOKS of Alabama, Mr. SOUTHERLAND, Mr. NEUGEBAUER, Ms. GRANGER, Mr. SAM JOHNSON of Texas, Mr. COLLINS of New York, Mr. SESSIONS, Mr. MICA, Mrs. BACHMANN, Mr. RADEL, Mrs. NOEM, Mr. LAMBORN, Mr. COLE, Mr. ROKITA, Mr. KINZINGER of Illinois, Mr. GOSAR, and Mr. PITTENGER.
H.R. 2776: Mr. PEARCE.
H.R. 2777: Mr. CARTER.
H.R. 2778: Mr. ROHRABACHER.
H.R. 2794: Mr. RUSH, Mr. LATTA, and Mr. TAKANO.
H.R. 2801: Mrs. MCMORRIS RODGERS.
H.R. 2805: Mrs. MILLER of Michigan, Mr. FARENTHOLD, Mrs. NOEM, Mr. VEASEY, Mrs. WALORSKI, and Mr. SWALWELL of California.
H.R. 2806: Mr. BOUSTANY.
H.R. 2810: Mr. ROE of Tennessee, Mrs. BLACKBURN, Mr. LATTA, Mrs. MCMORRIS RODGERS, Mr. TERRY, Mr. ROGERS of Michigan, Mr. WALDEN, Mr. BILIRAKIS, and Ms. SCHAKOWSKY.
H.R. 2826: Mr. ROSKAM.
H.R. 2834: Ms. FUDGE, Mr. HASTINGS of Florida, Mr. LOWENTHAL, Mr. GRIJALVA, and Mr. HONDA.
H.R. 2836: Ms. MENG.
H.R. 2837: Mrs. BROOKS of Indiana and Mr. LONG.
H.R. 2843: Mr. CONYERS.
H.R. 2854: Mrs. MCMORRIS RODGERS, Mrs. NOEM, and Mr. YOHO.
H.J. Res. 34: Mr. TAKANO.
H.J. Res. 40: Mr. RUPPERSBERGER.
H.J. Res. 51: Mr. GIBBS.
H. Con. Res. 24: Mr. RICE of South Carolina.
H. Con. Res. 34: Ms. ESTY, Ms. SLAUGHTER, and Ms. TSONGAS.
H. Con. Res. 41: Mr. VEASEY, Mr. KELLY of Pennsylvania, Mr. PASCRELL, Mr. HASTINGS of Florida, Mr. AL GREEN of Texas, Ms. WILSON of Florida, Ms. NORTON, Ms. CHU, and Mr. SCHIFF.
H. Res. 101: Mr. TIBERI.
H. Res. 109: Mr. KLINE and Mr. PAULSEN.
H. Res. 112: Ms. CHU.
H. Res. 153: Mrs. BLACKBURN, Mr. WEBER of Texas, Mr. PITTENGER, Mr. PEARCE, Mr. LAMALFA, Mr. LAMBORN, Mr. SANFORD, Mr. BARTON, and Mr. DUNCAN of South Carolina.
H. Res. 188: Mr. ROHRABACHER.
H. Res. 231: Mr. ROSS, Mr. RUSH, Mr. HUIZENGA of Michigan, and Mr. KELLY of Pennsylvania.
H. Res. 249: Mr. COSTA, Mrs. KIRKPATRICK, and Mr. HUFFMAN.
H. Res. 254: Ms. LOFGREN, Mr. ELLISON, Ms. MENG, and Ms. Frankel of Florida.
H. Res. 281: Mr. WESTMORELAND, Mr. MEADOWS, Mr. MICHAUD, Mr. DESANTIS, Mr. VEASEY, Mr. HUIZENGA of Michigan, Mr. COURTNEY, Mr. NEAL, and Mr. JOYCE.
H. Res. 291: Ms. MENG.
H. Res. 293: Mr. BENISHEK, Mr. NUGENT, Mr. HUNTER, Mr. NUNES, Mr. SCALISE, Mr. RYAN of Wisconsin, Mr. DESANTIS, Mr. MCCARTHY of California, Mr. BRIDENSTINE, Mr. CHAFFETZ, Mr. RUNYAN, Mr. POE of Texas, Mr. KINGSTON, Mr. GRAVES of Georgia, Mr. HOLDING, Mr. COTTON, Mr. WEBSTER of Florida, Mrs. BLACKBURN, Mr. SCHWEIKERT, and Mr. GOHMERT.
H. Res. 308: Ms. MENG, Mr. BRALEY of Iowa, Mr. SCHNEIDER, Mr. GRIMM, Mr. CICILLINE, Ms. WASSERMAN SCHULTZ, Ms. LINDA T. SÁNCHEZ of California, and Ms. TITUS.
H. Res. 314: Mr. VEASEY.

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:

The provisions that warranted a referral to the Committee on Oversight and Government Reform in H.R. 2879 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

41. The SPEAKER presented a petition of City Council of Monterey, CA, relative to Resolution No. 13-091.C.S. petitioning Congress to enact Comprehensive Immigration Reform; to the Committee on the Judiciary.

42. Also, a petition of the Pecos River Commission, New Mexico, relative to a resolution requesting the Congress to reauthorize the Water Resources Development Act; to the Committee on Transportation and Infrastructure.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2610

OFFERED BY: MR. WALBERG

AMENDMENT NO. 22: At the end of the bill (before the short title), insert the following:

SEC. 421. None of the funds made available by this Act may be used to provide housing assistance benefits for an individual for whom criminal conviction records made available pursuant to section 6(q) of the United States Housing Act of 1937 (42 U.S.C. 1437d(q)), or to subsection (b) or (c) of section 578 of the Quality Housing and Work Responsibility Act of 1998 (42 U.S.C. 13663(b), (c)), indicate that the individual has been convicted of aggravated sexual abuse under section 2241 of title 18, United States Code, murder under section 1111 of title 18, United States Code, or an offense under chapter 110 of title 18, United States Code.

H.R. 2610

OFFERED BY: MR. GOSAR

AMENDMENT NO. 23: At the end of the bill (before the short title), insert the following:

SEC. 421. None of the funds made available by this Act may be used by the Secretary of Housing and Urban Development to provide a grant under the Natural Experiment Grant Program.