United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160 WASHINGTON, THURSDAY, MARCH 13, 2014 No. 42

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 13, 2014.

I hereby appoint the Honorable ILEANA ROS-LEHTINEN 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 7, 2014, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

IMMIGRATION REFORM

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

Mr. GUTIÉRREZ. Madam Speaker, the young lady in the white dress in this picture is a role model for all young people. Her whole family are role models. They are the family you want living on your street.

They always shovel and salt their driveway. Their house is always spotlessly clean, and all of the children are on the honor roll. They make me proud to live in Chicago.

Liz and her three older siblings are all U.S. citizens. When Republicans say to me that President Obama is not enforcing the immigration laws, I think of Liz's face.

When the President says there is nothing more he can do to keep immigrant families together, I think of her face, too. When citizens say to me that it really doesn't matter whether they vote or not, I want them to think of Liz.

Liz has a father who is facing deportation. He has lived in the United States for more than 20 years and raised a beautiful, healthy, upstanding American family.

But LUIS—I hear my Republican colleagues say to me—all of this deportation nonsense is in your head. The administration is fudging the numbers to make it look like they are enforcing the law, the Republicans say.

But hundreds of thousands of American families are being split up. Over a 2-year period, according to Applied Research Center, 200,000 parents of American citizens, like Liz's parents, were deported.

And I hear my colleagues in the Judiciary Committee talk about Latinos—especially immigrant Latinos—that they are all criminals and drug cartel kingpins; and, therefore, we have to arrange our entire immigration system as if they are all violent felons.

But what about Liz and her family? Liz is not a drug kingpin in her fourth grade class. Her parents and her siblings are not meth heads and meth chemists, but the random deportation wheel landed on them; and according to Republicans, they are willing to sue the President in Federal court if he takes action to spare this father of four American citizen children from deportation.

But LUIS—I hear my Democratic colleagues say—for several years, President Obama has instituted programs at Homeland Security to help families, removing noncriminals and parents and DREAMers from the deportation queue.

And, indeed, the President and Homeland Security constantly talk about how many gangbangers and hardened criminals they are removing from the country; but that doesn't change the reality for Liz or her family. That doesn't change the fear that families, like Liz's, face every day.

People who have lived here peacefully and raised a proud American family are just a broken taillight or an unlucky encounter away from losing everything, losing their children.

And what about going out and coming back in ''the right way,'' as the Republicans always suggest? Despite 20 years in the U.S., despite four U.S. citizen children in his family who are willing to petition for their dad, Congress, two decades ago, made it impossible for this family to ever live together in the U.S. legally, unless we change the law again.

But Republicans refuse to allow a vote on immigration reform when they know a majority of Members of the House of Representatives would vote to allow families, like Liz's, to continue living together and prosper.

Sorry, Liz. Politics is more important than an American family or two or 200 American families or even 200,000; and the President has said he cannot do more to alleviate the fear that American kids, like Liz, face.

The political price of helping Americans, like Liz, is too high. It is shameful that the Speaker of the House and the President of the United States are putting politics and election calculations ahead of Liz's family.

To Liz, the solution is clear. If you will not act, she will. She said recently:

> No child should ever have to be separated from their parents. When I grow up, I want to be a U.S. Senator because I want to be in a position to help people when they need it and pass laws that are good for people.

I wish my colleagues felt the same way this young lady, Liz, feels. I don't

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know if she will ever be a U.S. Senator when she is eligible to run in 20 or 30 years, but I will tell you one thing I am pretty sure of: in less than 10 years, she will be old enough to vote, and her older siblings, even sooner than that.

Madam Speaker, do you think she will remember which party prevented reform or threatened to sue the President if he spared her dad from deportation?

Take a look at the picture. Republicans, they are hoping the dad gets deported and the mom never becomes a citizen; but the poor children are Americans already and will someday have a vote and, from the looks of it, will be voting for decades to come. I suggest, Madam Speaker, you do the math.

JOBS BILLS STYMIED IN THE SENATE

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

Mr. MARINO. Madam Speaker, earlier this week, our friends on the other side of the Capitol, the Democrats, burned the midnight oil in a strange effort to call attention to global warming. Unfortunately, for some of our friends in the Senate, hot air from the Chamber will not bring down the temperature in our atmosphere.

Instead of stoking the rhetorical flames through hours of meaningless grandstanding, I hope the Democrat Senate will use some of its time to hotline the critical job-creating bills that have been put on ice on HARRY REID's desk.

Madam Speaker, our constituents don't want to be left out in the cold. We need action today on bills to create jobs.

Madam Speaker, I hope Members of this body will join me and hold the Democrat Senate's feet to the fire by calling on them to pass bills that will refire America's economic engine.

TRANSPARENCY IN GOVERNMENT ACT

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

Mr. QUIGLEY. Madam Speaker, nearly 4 years ago, I stood in this Chamber and talked about a deficit that was chipping away at our government. No, it wasn't the fiscal deficit, though that certainly is weighing us down; rather I warned of the deficit of trust that has caused the American people to lose faith in government and, quite simply, give up on Washington.

Back then, stories of scandals and ethics violations led nightly newscasts, and trust in government was at an all-time low of just 19 percent. Now, 4 years later, trust in government is still at 19 percent, though Congress' rating has dropped even lower, to 9 percent in recent polls. I regret to say that little has changed, including our efforts to rebuild that trust.

If Illinois politics has taught me anything, it is very hard to lead without that trust, and the only way to earn it back is to increase transparency and openness throughout our government. As Justice Brandeis said, Sunlight is the best of disinfectants.

That is why I am introducing the Transparency in Government Act, which will shine a light on every branch of the Federal Government, strengthening our democracy, and promoting an efficient, effective, and open government because the fact is that the mission of government matters.

What we do here in this Chamber matters, so much so that it is written in the very bedrock of American Government. We have been sent here to form a more perfect union, to promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, but how we execute this mission matters.

The Transparency in Government Act utilizes 21st century technology to expand access to information, strengthen oversight of Federal spending, increase disclosures from both lawmakers and lobbyists, and improve judicial transparency.

The TGA will bring unprecedented accountability to the Federal Government and empower everyday citizens to be the government's best watchdog.

American taxpayers have a right to know how their hard-earned dollars are being spent, so TGA requires Members of Congress to post their official expenditures online, allowing every constituent to scrutinize their Representative's office budgets and spending reports.

It also requires Members to be up front about their personal finances, providing greater details about foreign travel and gifts; and when it comes to knowing who is working to influence the legislative process, the TGA establishes new definitions for lobbyists and stricter rules governing how and with whom they meet.

This bill also ensures Americans have access to the same expert nonpartisan information that shapes the policy decisions we make every day. It makes taxpayer-funded reports available for free to the public and requires all committees to make public hearing schedules, witness testimony, and even transcripts and recordings available online.

In the executive branch, the TGA requires clear and prominent disclosure when communications and advertising are sponsored using Federal funds; and it improves access to visitor logs for the White House and agency heads, so we know who is meeting with our Nation's highest leaders.

It strengthens the Freedom of Information Act, requiring agencies to put all completed FOIA requests online in a format that is searchable, sortable, and downloadable, and ensures that all agencies utilize the Web site FOIAonline to log, track, and publish requests.

Finally, the TGA calls for the judiciary branch to meet similar financial disclosure requirements that are already applied to the executive and legislative branches and make those disclosure statements publicly available online for anyone to review.

For the first time, this bill inscribes into law the public's right to hear oral arguments in the Supreme Court as they are delivered; and in an effort to use 21st century technologies, this legislation calls for a study on using livestream video to air Supreme Court proceedings.

These are just a few of the bill's many reforms that will pull our government out of the past and modernize public access to information. The Transparency in Government Act has ambitious goals, but these reforms are no less than what our constituents expect and deserve.

It has been 4 years since I first introduced this bill, and we can't waste another minute allowing the status quo to erode Americans' faith in government. The time to act is now.

Let's usher in a new era of open government, win back the people's trust, and prove to our constituents that we are worthy of the responsibility we have been entrusted with.

PRESIDENT OBAMA IS DIFFERENT THAN SENATOR OBAMA

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

Mr. OLSON. Madam Speaker, 2014 started out the exact way President Obama wanted. Over $2 trillion of more debt piled upon our kids and grandkids. President Obama is very different than Senator Obama. These are the Senator's words on the Senate floor March 16, 2006:

> The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. It is a sign that the U.S. Government can't pay its own bills. It is a sign that we now depend on ongoing financial assistance from foreign countries to finance our government's reckless fiscal policies.
>
> Over the past 5 years, our Federal debt has increased by $3.5 trillion to $8.6 trillion. That is trillion with a t. That is money that we have borrowed from the Social Security trust fund, borrowed from China and Japan, borrowed from American taxpayers.
>
> Numbers that large are sometimes hard to understand. Some people may wonder why they matter. Here is why: This year, the Federal Government will spend $220 billion on interest.

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Senator Obama later explained:

> That is more money to pay interest on our debt this year than we will spend on education, homeland security, transportation, and veterans' benefits combined.

After talking about Hurricane Katrina, Senator Obama shifted to the debt tax:

> And the cost of our debt is one of the fastest growing expenses in the Federal budget. This rising debt is a hidden domestic enemy, robbing our cities and States of critical investments in infrastructure like bridges,

ports, and levees; robbing our families and our children of critical investments in education and health care reform; robbing our seniors of the retirement and health security they have counted on.

Every dollar we pay in interest is a dollar that is not going to investment in America's priorities. Instead, interest payments are a significant tax on all Americans—a debt tax that Washington doesn't want to talk about.

Senator Obama finally brought up our debt to unfriendly nations:

Now, there is nothing wrong with borrowing from foreign countries. But we must remember that the more we depend on foreign nations to lend us money, the more our economic security is tied to the whims of foreign leaders whose interests might not be aligned with ours.

Increasing America's debt weakens us domestically and internationally. Leadership means that ''the buck stops here.'' Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.

I therefore intend to oppose the effort to increase America's debt limit.

Today, America's debt is over $18 trillion—with a t. Clearly, President Obama has forgotten Senator Obama's words. But the American people remember, and on their behalf, I ask President Obama to decrease our debt by working with Congress to end the debt tax by growing our economy and shipping American natural gas to friendly countries like Ukraine, like India, like Japan, and like South Korea.

WELCOMING ENDA KENNY TO CAPITOL HILL

The SPEAKER pro tempore (Mr. MESSER). The Chair recognizes the gentleman from Massachusetts (Mr. NEAL) for 5 minutes.

Mr. NEAL. Mr. Speaker, as the world prepares to celebrate St. Patrick's Day and this afternoon we welcome the Irish Prime Minister of the Taoiseach, Enda Kenny, here to the Capitol, I want to pause for a moment to recognize the anniversary of a pivotal event in the peace process in the north of Ireland.

Twenty years ago, against the advice of his own State Department, President Bill Clinton granted a visa to the leader of Sinn Fein and its president, Gerry Adams, to visit the United States. It was at the time an unpopular decision, but history has proven it to be a catalyst for the peace process which, again, has proved to be most durable. It helped to bring an end to the longest standing political dispute in the history of the Western World. Simply put, Bill Clinton took an extraordinary risk that has paid huge dividends.

I was one of a handful of Members of Congress at the time who urged President Clinton to approve the visa. When Gerry Adams arrived in the United States after stopping in Boston, he made his way to my hometown of Springfield, Massachusetts, and addressed a core group of thousands at the John Boyle O'Reilly Club, and he thanked them for their support.

During his campaign for President, we had urged then-candidate Clinton to make peace in the island of Ireland a top foreign policy priority if he was to be elected. After his inauguration, to our great and pleasant surprise, he sent his National Security Adviser at the time, Tony Lake, to Capitol Hill to tell us that they were to elevate Ireland to the same category of priority as the Middle East.

A year later, on January 31 of 1994, the visa was issued to Gerry Adams, and the American dimension to the Irish peace process was born. Fourteen years later, the Good Friday Agreement was signed, and a society in the north of Ireland was transformed overnight.

On the night that Mr. Clinton offered that visa—it was one of the more memorable events in my career—I defended the Clinton administration that night on the BBC's Newsnight Hour, which would be the equivalent of Nightline here in America. I debated the leader of the UUP, Ken Maginnis.

Later today, I am hosting a briefing with Gerry Adams and the Congressional Friends of Ireland, and I urge our friends to visit with him if they can, and later on to meet the Irish Prime Minister at 3:30 this afternoon.

When we contrast where America and Ireland were in this special relationship that dates back three centuries, it is important to recall what it looked like in the north of Ireland 30 years ago. There were 30,000 British soldiers in an area the size of the State of Connecticut. There was a police force that held the position that nationalists need not apply—the Royal Ulster Constabulary. The British soldiers are gone and the Royal Ulster Constabulary are gone today. The watchtowers that monitored the activities largely of the nationalist community have been taken down, and you can cross from Derry to Donegal without knowing that you have moved from the north of Ireland to the Republic of Ireland or through Newry and County Down, as well, without being stopped, searched, and, in some instances, being frisked by British soldiers.

America's role in bringing about this success story provides an argument for the reach and the role of the United States in addressing some of the most difficult issues in the world. Ireland represented the longest standing political dispute in the history of the Western World, and America's role was pivotal to helping make that change. That model has become, today, something that could be emulated worldwide, and, in fact, the people who participated travel the world to talk about how they found common ground and a path forward.

There is a representative democracy in Belfast today in what is known as Stormont, where parties sit some days in disagreement and other days in agreement, but always with the idea that they are in charge of their own destiny and their own future. That is the genius of representative democracy.

I call attention to this issue today because of many of the stubborn problems that plague the world, with the understanding that men and women of good will in the crucible of politics can indeed chart a path forward, and not to miss the fact that it was still the risk-taking of the Clinton administration that took up the notion that the nationalist voice on the island of Ireland and in the north of Ireland and six small counties should be heard, and today the result is all around us.

So as the political parties visit on the eve of St. Patrick's Day all across the island of Ireland, we can satisfy ourselves with this achievement: the notion, once again, that good will and understanding the other side's arguments can, in fact, be heralded in the sense of achievement, but also, again, in the Stormont government that has been duly elected.

So, today, we in America take great satisfaction as to the role our men and women played in bringing about this success story and also to recognize something on a personal basis. I and many others here were allowed to participate in all of these ''it can never happen'' moments. Thanks, America, for help, once again, in leading the way.

CONCERNS OF INADEQUATE CBP STAFFING AT MIAMI INTERNATIONAL AIRPORT

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today with a great sense of urgency over the critical need to have more Customs and Border Protection officers at Miami International Airport, known as MIA. MIA, which I humbly represent, is not only the busiest airport in the State of Florida, but it is also the second largest international gateway in the Nation. In fact, international passenger traffic at MIA has steadily grown over the last few years far more than any other U.S. international gateway. However, the insufficient Customs and Border Protection officers, known as CBP, staffing levels at MIA pose a threat to this welcome growth of travel and tourism into our country.

Passengers are experiencing long wait times for immigration and customs processing. For example, just a few days ago, last Wednesday, the 7,681 passengers who arrived at the Federal Inspection Service at MIA's North Terminal were held in line for more than 2 hours. Out of the 72 lanes available to assist passengers, only 20 were open. And there is only one simple explanation for this problem. CBP staffing does not meet the numbers needed for

the safe and efficient processing of passengers and cargo going through our airport.

As time passes by, this endemic problem has only proven to deteriorate. The Miami-Dade congressional delegation and MIA officials have long been focused on how to fix this problem while ensuring a safe and seamless travel experience for our local residents and our many, many visitors.

Earlier this week, I wrote a letter to Secretary Johnson of the Department of Homeland Security asking for his immediate action on alleviating the ongoing shortage of CBP officers, a deficiency that sets back efforts to make Florida competitive; and it hurts our travel and tourism, two vital engines to our Nation's economy.

The entire Miami-Dade congressional delegation, including our Senators, is united on this bipartisan, bicameral effort.

With a strategic location to handle connections between the Americas and Europe, MIA serves as the doorstep to the United States. In 2013, a record 40 million passengers passed through MIA's doors as they made their way to their final destinations. These people come to our port of entry either to visit south Florida or to make connections to other national and international destinations. We need to welcome them with the world-class airport that MIA can be and not with long lines, hassles, and congestion.

Under the leadership of Dr. Emilio Gonzalez, the director of the Miami-Dade Aviation Department, MIA has taken a number of steps to ease the lack of CBP officers. How have they done this? Installing automated passport control self-serve kiosks; also, increasing the Miami-Dade Aviation Department staffing, participating in a reimbursable fee agreement pilot program approved by Congress which allows for needed overtime, and by closing certain gateways in order to concentrate CBP officers in appropriate areas.

However, despite MIA's innovative approach, CBP's insufficient staffing levels continue to pose serious challenges to the airport's daily operations. With the growing number of passengers arriving or transitioning through MIA and with the World Cup in Brazil approaching, MIA will have an even busier summer. We need to be prepared. And that is why we ask for Secretary Johnson's assistance in providing much-needed CBP staffing and to remember that MIA's success is our Nation's success.

Mr. Speaker, I cannot stress enough the pressing need for Federal staffing at MIA, which will only allow for a further streamlining of long lines and will also help in the reduction of wait times for visitors and for residents, alike.

END HUNGER NOW

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

Mr. MCGOVERN. Mr. Speaker, this week, as part of my End Hunger Now series, I want to focus on one of the most important and successful Federal antihunger and nutrition programs, the WIC program. The Special Supplemental Nutrition Program for Women, Infants, and Children, commonly known as WIC is a fantastic program that is celebrating its 40th anniversary this year. It truly is an amazing program, one that has been a tremendous success for 40 years.

WIC is a short-term intervention program designed to influence nutrition and health behaviors in a targeted high-risk population. What does that mean? Well, Mr. Speaker, it means that it provides nutritious food and nutrition education, among other services, to pregnant women, infants, and young children.

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Specifically, WIC provides quality nutrition education and services, breast-feeding promotion and education, a monthly food prescription, and access to maternal, prenatal, and pediatric health care services.

Not only has WIC been around for 40 years, it has served millions of women and children over that time. For example, more than 10,000 clinics served 8.7 million women and children each month in 2013. That figure includes 853,000 pregnant women, 595,000 breast-feeding women, 598,000 postpartum, 2 million infants, and 4.6 million children. Those are monthly figures, Mr. Speaker.

Let's be clear: this is an important antipoverty program. It helps poor pregnant women, postpartum mothers, and their children receive both nutritious food and nutrition education. That's right, this program serves poor people—and does so successfully.

To qualify for WIC, participants' income level must be at or below 185 percent of the poverty level or they must be on Medicaid. That is about $36,000 a year for a family of three. We are not talking about wealthy people here, Mr. Speaker. In fact, nearly three-fourths of all WIC participants live in families with incomes below the Federal poverty level. That means most families of three are making less than $36,000. In fact, according to the latest data available, the average income of a participant was $16,842 a year.

The services WIC provides are critically important, and they are based on sound science. For example, we know how important it is for women to breast-feed their children. Breast milk contains important nutrients infants need to grow and to develop. We know that breast-fed infants tend to be healthier because they receive antibodies from the breast milk, antibodies that protect these young kids against infection. Did you know that breast-feeding has also been proven to save money? That's right. If 90 percent of U.S. mothers exclusively breast-fed their infants for 6 months, the U.S. would save $13 billion annually in medical expenses and prevent 900 deaths a year.

Another important part of WIC that is based on science is the food package that is made available to each client. They are designed specifically for each person, whether you are a pregnant mother, nursing mother, or a child. The foods available are approved by the scientists and the researchers at the Institute of Medicine. That's right, not Members of Congress or non-science-based administrators in a Federal agency that approve or deny certain foods from the WIC package. We know that proper nutrition can make people healthier, reduce instances of illness and disease, and prevent or reduce hospital visits and stays. I guess my mother was right when she said, An apple a day keeps the doctor away.

That is why it is so maddening and so disappointing when special interests try to change the WIC food package just so they can see a little bit more money for their product. Proper nutrition can save money—something I think should be popular in this Congress—and ignoring science because special interests want to make a quick buck is just wrong.

That is why I am so proud of this program. A few years ago, there was an attempt in the House of Representatives to underfund WIC—to deny these important services to poor women and their children. The backlash was fierce. That funding was quickly restored, and we haven't seen an attempt to cut WIC since. I only wish that were true for other Federal antihunger programs.

You see, Mr. Speaker, this program is what is best about America. Ironically, it was a program that was born in the Nixon administration. In fact, it came from the first and only White House conference on hunger, something I wish this President, President Obama, would convene before his term is over.

For 40 years WIC has ensured that poor women and their children have access to nutritious food and nutrition education. It is just that simple. These women and children have a lifeline to making their lives healthier and better. It is safe to say that the millions of people served by WIC would be worse if it weren't for this program.

I am proud of this program. I am proud of the people who work at WIC clinics, and the administrators, and those who administer the program in every State. I am proud of the people who advocate and fight for this program. I look forward to the day when we don't need WIC because we have eradicated poverty once and for all. Until that day comes, I am proud that we have WIC to help make the lives of the women and children they serve just a little bit better.

SUSTAINABLE GROWTH RATE FIX

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

Mr. DUFFY. Mr. Speaker, today I rise to discuss the issue of Medicare and Medicare reimbursement payments to doctors who provide health care for our seniors.

Currently, the reimbursement formula for our doctors who provide these services is one that has become so low that many doctors in America aren't providing services and care to our seniors.

It brings me to a bill that is coming up tomorrow in the House. It is the doc fix. It is a fix to the SGR. What that means is, there is on the horizon a 24 percent cut coming to Medicare reimbursements for our doctors who provide care for our seniors.

If that cut goes into effect, it is going to have a devastating impact on the care that our seniors can receive. So tomorrow we are going to have a fix on the floor that takes away the threat of the 24 percent cut, and we pay for it. What we do is we bring certainty to the doctors who provide this care for our seniors and stability to the payment system.

Now, this isn't the first time this issue has been brought up. This has been an ongoing problem, and so today, on throwback Thursday, we are going to take a trip down memory lane. Four years ago, during the ObamaCare debate, House Republicans brought up this very issue and said: Listen, let's not hold our seniors hostage. Let's actually come forward together and have a doc fix that is paid for to make sure our seniors don't get cut in regard to reimbursements. My colleagues across the aisle said ''no'' to this fix that was paid for, and in the end we have had to have short-term fixes that I think threaten the care for our seniors.

I hope all my colleagues tomorrow will stand with us to have a long-term fix to this program, to make sure our seniors aren't held vulnerable to potential inaction by Congress.

I also want to talk about what happened in regard to our seniors in the ObamaCare debate. Instead of fixing payment in Medicare to our doctors for our seniors, instead of shoring up a plan that helps our seniors, instead of doing that, what my friends across the aisle did in ObamaCare is they looked for a pay-for, and they saw a pot of money in Medicare, and they took almost a trillion dollars out of Medicare to use for ObamaCare.

News flash: the CBO, and the President, everybody acknowledges that Medicare is on a pathway to going broke. Twelve years from now it runs out of money. So instead of shoring up the fund, making sure that we meet the promise to our seniors, my friends across the aisle took almost a trillion dollars out of it, making it more vulnerable.

Then, a program that works well, especially for my seniors back in Wisconsin, Medicare Advantage—taking money out of Medicare Advantage, a program that actually works, giving some choice and control to our seniors. I think our seniors deserve better than this. The war on the seniors should stop, and is going to stop hopefully tomorrow with a bipartisan effort that does what we should have done in the ObamaCare debate but fixes payments to doctors so they can continue to provide lifesaving health care to our seniors.

Let's stand together as a House. Let's stand with our seniors. Let's get this done tomorrow.

WOMEN'S HISTORY MONTH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, this morning we are now in the midst of Women's History Month. I want to associate myself with the women's history Special Order that was on the floor last evening. I look forward through the rest of the month of March to continue or to acknowledge women from my own congressional district.

This morning, however, I wish to comment on a woman who has loomed large in our political eyes, and I thought out of fairness to give the record of former Secretary of State Hillary Clinton a fair shot. The reason I chose to do that, Mr. Speaker, is over the weekend, as many occurrences occur, political meetings abound in this Nation, and the Conservative Political Action Conference met.

Interestingly enough in the reporting, the newspaper noted that Hillary Rodham Clinton had a presence at the Nation's largest gathering of conservative activists. Interestingly enough, former Secretary Clinton was not there, obviously not invited. I think it is important to take note of some of the comments that were made that really require some kind of addressing.

One comment was that women should not be used. Another came from the former Speaker and charged that if Secretary Clinton decided to run for President, it would be like a prison guard for the past. Words I think that may be political rhetoric but really do a great disservice to a woman with a very strong historical record.

Early in her life, former Secretary Clinton met Dr. Martin Luther King, born in Chicago to parents whose political beliefs, or part of their political beliefs, were different from Secretary Clinton's today. She was an active young woman and through her church had the opportunity to meet Dr. Martin Luther King. You can imagine her thoughts a few years later when Dr. King was assassinated. It may have had a major impact on her belief in serving her country and helping America.

Hillary Clinton is a graduate of Wellesley College and Yale Law School. She worked on migrant worker issues for Walter Mondale's staff. Also, she was on the law editorial board—I would suggest, at that time, certainly one of the pioneering women at Yale Law School.

Of course many of us know that she worked for the Children's Legal Defense Fund and really honed her skills of concern about making children our number one priority. I would offer to say that when I came to the United States Congress, former Secretary Clinton was First Lady. At that time I organized and founded the Congressional Children's Caucus. During the 1990s it was very clear that the First Lady at that time was very concerned still with children's issues and held one of the first conferences on 0 to 3 months, and how a baby could learn and how we should be nurturing that infant. It was a very major conference to focus our legislative agenda on that issue. It was during that time that Marian Wright Edelman continued to work with the former Secretary of State on the issues of dealing with the whole comprehensive child, what a child needs from 0 on to adulthood. Even today I would argue that we do not have a children's agenda.

I will soon be offering a briefing promoting a children's budget that came out of the efforts and collaboration with the former Secretary of State during her tenure in the White House as First Lady. As First Lady she traveled to emphasize the importance of freedom for women around the world. She was not yet Secretary. One of the first acts that we remember, among the acts that we remember, is her going to China and declaring that women's rights are human rights.

I would venture to say that the words at the CPAC convention do not in any way characterize the leadership of Hillary Rodham Clinton. Certainly she has gone on to many other successes, which include her leadership as Secretary of State, the constant work of freeing women, women's rights. I would say, Mr. Speaker, that she is a fine example of a mother, a wife, a leading national figure, a historic figure who represents Women's History Month.

USA CAN'T POLICE THE WORLD

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

Mr. DUNCAN of Tennessee. Mr. Speaker, President Kennedy, in a 1961 speech at the University of Washington, said:

> We must face the fact that the United States is neither omnipotent or omniscient—that we are only 6 percent of the world's population—that we cannot impose our will upon the other 94 percent of mankind—that we cannot right every wrong or reverse each adversity—and that therefore there cannot be an American solution to every world problem.

□ 1045

The major difference now than when he spoke in 1961 is that we are only 4 percent of the world's population, and

we are over $17 trillion in debt. President Kennedy was right then, and we should carefully listen to his words today.

Many people are trying to prove that they are great world statesmen and are supporting policies that will commit us to spend billions we do not have on Ukraine. We don't need to be sending billions to Ukraine, and we especially should not escalate this situation into some type of military confrontation.

We should have trade and tourism and cultural and educational exchanges with other countries and help, to a limited extent, during humanitarian crisis; but we cannot be the policemen of the world.

The Ukrainians are going to have to solve most of their problems on their own, and we need to start taking better care of our own country and our own people. In fact, Mr. Speaker, we are long past the time when we need to start putting our own people first and stop trying to run the whole world, creating a lot of resentment toward the U.S. in the process.

REMEMBERING OAKLAND OFFICERS MURDERED

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

Mr. SWALWELL of California. Mr. Speaker, for the Bay Area law enforcement community, few days are sadder and more tragically memorable than Saturday, March 21, 2009.

It is a day that everyone in the community will always recall where they were when they heard the news. March 21 will always be remembered as the day that four brave police officers of the Oakland Police Department were killed in the line of duty, in service to the people they swore an oath to protect.

I rise to recognize four men who died 5 years ago the same way they lived—as heroes. I rise to recognize Sergeant Mark Dunakin, Sergeant Ervin ''Erv'' Romans, Sergeant Daniel Sakai, and Officer John Hege. We lost these officers on the same day at the hands of the same murderer, but we make sure today that they were not taken in vain and that this killer did not extinguish their memories.

Sergeant Mark Dunakin was devoted to the East Bay. Raised in Pleasanton, he graduated from Chabot College in Hayward and served the Oakland Police Department for 18 years. He worked in the patrol division, the homicide unit, and the traffic operations section.

He loved driving through the streets of Oakland on his Harley-Davidson, making sure the East Bay was safe. He was even a part of the Oakland Police Department's motorcycle drill team, which went all over the State of California.

Not only was Sergeant Dunakin a terrific officer, he was a loving husband to his wife Angela, who also served as a Dublin police officer for the Alameda County Sheriff's Office. He was a father and a friend. He also was an avid sports fan, rooting for his Ohio State Buckeyes and Pittsburgh Steelers.

Officer John Hege had been with the Oakland Police Department for 10 years. Before joining the force, he taught at Tennyson High School in Hayward. Even after he became a police officer, he continued to serve his community by working with kids as a high school baseball umpire.

John always wanted to work as a motorcycle officer. A few months before his tragic murder, he reached that goal.

A great neighbor and friend, John was willing to help someone in need. This continued even in death, for as an organ donor, his organs were used to save the lives of four other people.

Sergeant Ervin Romans' life was full of service. For 9 years, he served our country and kept us safe as a distinguished member of the United States Marines.

Erv continued his service with the Oakland Police Department, a dream job for him, for 13 years. He was a dedicated member of the SWAT team, always striving to improve and keep up with the latest training. In 1999, after helping residents escape a fire, he was awarded the Medal of Valor.

Sergeant Dan Sakai spent his career serving the public. Following graduation from the University of California at Berkeley, he worked as a community service officer with the UC Berkeley Police Department. After 5 years there, he joined the Oakland Police Department in 2000.

Described as a rising star, Dan quickly progressed in the Oakland Police Department, including serving as a patrol officer in the K9 unit and eventually as a SWAT team entry leader. It is not surprising that he was the valedictorian of his police academy class.

Besides being a terrific member of the Oakland Police Department, Dan was devoted to his family and friends. As a resident of Castro Valley in the 15th Congressional District, he enjoyed all kinds of outdoor activities.

It is hard to believe that it has already been 5 years since that fateful day when these four heroes were taken from us.

I was working that day as an Alameda County prosecutor when we lost Mark, Erv, Dan, and John; and I, like so many, was shocked and shaken by the news. The magnitude of loss that the murder of these four officers caused was unmeasurable and hit everyone in the community. Equally unmeasurable was the community's response.

In the hours and days after the news, the law enforcement community came together to support the families of the officers and the colleagues they served with.

Immediately after the news, hundreds of Bay Area law enforcement community members held an informal vigil at the only place they knew to gather, The Warehouse, a grill around the corner from the Oakland Police Department.

In the following days, the Oakland Police Officers' Association, with the support of brothers and sisters from neighboring Bay Area police agencies, grieved together and put on a funeral at the Oakland Arena worthy of the officers' bravery.

I attended that funeral and was stunned to see officers from not just the Bay Area, but across the United States. I will never forget the Boston police officers who crossed the country to attend and lifted the spirits of the mourners.

In the House Chamber today, representing the Police Officers' Association of California, is John Rudolph, President of the Alameda County Deputy Sheriffs' Association. He is in town to support the Law Enforcement Officers Memorial Fund.

The following year, I had the opportunity to attend the 2010 Law Enforcement Officers Memorial in Washington, D.C., to witness each officer's name permanently placed on the marble wall with 19,000 other officers who have given their life across our country in service to the public.

Their names are etched into that wall, their memories are deep in our mind, and their courage is stitched forever into our hearts.

Mark, Erv, Dan, and John, you were taken too young, but forever we will remember your service.

SAFE CLIMATE CAUCUS

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

Mrs. CAPPS. Mr. Speaker, I rise today to call attention to a critical issue that is hurting our communities, it is hurting our economy and our environment, and that issue is climate change.

Climate change is already having real impacts, affecting real people and real communities with more extreme storms, severe droughts, heat waves, and more. We are beginning to see long-term and serious impacts on public health, on agriculture, and natural resources.

Of course, climate change not only impacts us here onshore, but offshore as well. Ocean acidification, one of the most serious impacts of climate change, is changing the chemistry of our oceans and threatening the economic future of our coastal communities.

As our oceans absorb more and more carbon from the atmosphere, they grow more and more acidic, threatening many marine organisms and the communities that depend upon them.

Experts are telling us that today's rate of ocean acidification may be unprecedented in the Earth's history. It is estimated to be increasing 10 to 100 times faster than any time in the past 50 million years.

Ocean acidification threatens everything from the tiny plankton to form the foundation of marine food webs, to the larger shellfish that we all enjoy. These impacts will not only hurt our ocean ecosystems and environment, but they will significantly hurt our economy as well.

The oceans support one in every six American jobs; so without healthy oceans, we stand to lose a lot of American jobs and economic opportunities, not to mention the cultural, ecological, and recreational losses to our coastal communities.

In my district, there is a diverse array of fishermen, scientists, and nongovernmental organizations who are all seriously concerned about this issue. They are coming together to find ways to better understand and mitigate the effects of ocean acidification on key fisheries and ecosystems.

While the initial costs may be felt locally, the long-term costs of ocean acidification will be felt around this globe. We simply can't afford to continue ignoring this critical problem. While we certainly must cut the greenhouse gas emissions that are driving climate change and ocean acidification, we must also prepare for the inevitable impacts.

That is why I am working with my colleagues to find bipartisan solutions to increase our understanding of ocean acidification and to develop adaptation strategies.

That means supporting efforts to increase research and to monitor a better understanding of the problem, and it means coordinating and planning on a local level to prepare communities for changing coastal landscape. That means forming strategic partnerships to increase our capacity to find creative solutions.

There are many things we can do to help, but there is one thing we must all agree upon: inaction is not an option.

Mr. Speaker, we have a responsibility to help prepare our communities and our economy from the impacts of climate change. We cannot afford to sit on our hands and do nothing.

I urge my colleagues to join me in taking action to save our oceans to combat global climate change.

JOSH HARDY'S STRUGGLE WITH CANCER

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to acknowledge a story of hardship and compassion. Josh Hardy, a young boy from Fredericksburg, Virginia, survived a battle with cancer when he was just 9 months old. Today, at the age of 7, he is currently suffering from a life-threatening infection acquired during his cancer treatment at St. Jude Children's Hospital.

A pharmaceutical company, Chimerix, produces the medication Josh's doctors believe could help save his life. Unfortunately, the drug was still in trial testing, and the company has been unable to provide access due to the number of requests for the drug and the rate of its production in the testing stage.

Physicians at St. Jude's Hospital and members of Josh's family pleaded for Josh to obtain access to the drug. Last Friday, Matt Hardy, Josh's uncle, of Lock Haven, Pennsylvania, a constituent of mine, contacted my office to request our support in seeing if the drug could get approved.

Josh's story has become widely known across the country. Yesterday, Chimerix agreed to provide Josh access to their environmental antiviral drug for his treatment. This small business should be commended for their compassion and making tough decisions. We hope they can continue with expedience to bring their product to market in order to help others like Josh.

Mr. Speaker, through these tough times, our thoughts and prayers remain with Josh, his family, and the countless individuals committed to making lives better through cutting edge medical research.

SEXUAL ASSAULT

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

Ms. SPEIER. Mr. Speaker, I rise today to tell a story of a 17-year-old Catholic school girl from the Seattle suburbs whose dreams to join the Marine Corps were destroyed by a sexual predator.

The girl's recruiter, after discussing sexual harassment policy with her, decided to give her a big hug, then lifted her on his lap and fondled her breasts. He then tried to get her to perform oral sex on him at another visit to the Marine recruiting office; and on a third occasion, he had her fondle his genitals while the girl was riding in his car.

She told the King County District Attorney's Office that she felt pressured into the sexual contact to get a position within the Corps.

While King County investigators found the girl's claims to be credible, the recruiter's chain of command within the Marine Corps did not and returned him to his job after a brief suspension, while the high school student was denied justice and denied the job of her dreams.

Just Google ''Marines sex scandal,'' and you will find this article and several other scandalous stories about soldiers who hold these positions of trust.

These are exactly the type of stories that prompted Defense Secretary Chuck Hagel to issue a directive last May to require the screening of sexual assault counselors, recruiters, and drill sergeants in all the services, looking for any criminal wrongdoing or unethical behavior.

It appears the Army took Secretary Hagel's directive seriously, as it screened 20,000 soldiers, disqualified 588, and is moving to get rid of at least 79 soldiers in these sensitive posts for offenses that include sexual assault.

□ 1100

Between the Navy, Air Force, and Marine Corps, however, only a handful of servicemembers were disqualified. The Navy, after screening more than 10,000 soldiers, first said it only disqualified five, but just yesterday, we learned that the number has skyrocketed as the Navy has actually disqualified 151 sailors from these positions of trust. The Air Force just revealed Tuesday it disqualified two soldiers after at first initially reporting none were disqualified, and the Marine Corps so far has disqualified absolutely no one.

We all know, without question, that sexual assault in the military is a crisis and that it is not simply limited to the Army. It appears to be quite clear that the services used widely divergent methodology in assessing the suitability for these servicemembers and that the different services interpreted Hagel's directive very differently. It is my understanding that one of the service's interpreted Hagel's directive so narrowly that it simply checked the civilian sexual predator registry. Hagel has, apparently, discussed with top brass in the Navy, Air Force, and Marine Corps the 588 disqualifications in the Army and whether the other services will pursue a follow-up review. He has reportedly stopped short, however, of issuing another directive.

I believe Secretary Hagel should issue a directive to rescreen the officers in the other services, and I sent him a letter Tuesday urging him to do so because choosing the wrong people for these positions of trust is a betrayal for our troops. The numbers of those disqualified, by the way, were not voluntarily made public. They continue almost weekly to be unearthed by an enterprising reporter at USA Today. The DOD also hasn't revealed what actions it has taken against those who were disqualified. The public has a right to know.

I do salute the Army for scrubbing what has been a cancerous culture, evidenced by the pending court-martial of Sergeant Gregory McQueen, whose job it was to help prevent sexual assault but who, instead, was allegedly running a prostitution ring at Fort Hood.

Until the Marine Corps, Air Force, and Navy follow the Army's path, however, I have little faith that the Department of Defense is capable of stamping out military sexual assault by weeding out sexual predators and other criminals in these highly important positions of trust.

WORLD WATER DAY

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

Mr. BLUMENAUER. Mr. Speaker, today, on Capitol Hill, we are watching several hundred dedicated volunteers fan out to share their vision of the United States' providing leadership for safe drinking water and sanitation around the globe.

They will point out that, today, women will spend 200 million hours gathering water for their families—200 million hours that will not be spent farming or in economic enterprise, 200 million hours that will not be spent in school, 200 million hours that too often take them away from the village and put them at risk for physical sexual assault. They will be talking to our colleagues on Capitol Hill about some critical legislation that my colleague TED POE and I have introduced, H.R. 2901, the Paul Simon Water for the World Act, which will, in a deficit-neutral fashion, help refine the approach that the United States, the USAID, and the State Department take in providing water assistance around the globe.

I must say, this morning I heard, in an eloquent fashion, Congressman POE lay out the need, the vision, and the solution. I cannot say enough about the bipartisan leadership of my colleague from Texas. He points out that, as a Democrat from the Northwest, I don't have all that much in common with my Republican friend from Texas, but this is an area in which we are united. The United States must do all it can to prevent unnecessary disease and death from contaminated water, but it goes beyond issues of disease and sanitation.

Look at what has happened in Syria. Between 2006 and 2011, nearly 60 percent of Syria's landmass was ravaged by a severe drought. The water table was already too low because of irresponsible farming practices. It wiped out the livelihoods of almost a million Syrian farmers, and it created a massive population of drought refugees that flooded into the cities and added to the instability of that tragic country.

It did not cause the civil war, but the failure of the government to respond to the drought played a huge role in fueling the uprising, made possible by that sad, tragic consequence of events. Now the fourth largest city in Jordan is a refugee camp where men and women and children are fighting for survival and water as they cross the border to escape the violence. And this is a growing problem. The global population has now passed 7 billion people, and much of that growth has taken place in Sub-Saharan Africa and Asia, two regions of the world in greatest need when it comes to water and sanitation.

Mr. Speaker, we have within our capacity the ability to make a difference, and I am pleased to have worked with volunteers from coast to coast—from churches and rotary clubs and students—who are making a difference in their own communities. It is important for Congress to pass the Water for the World Act and to support the terrific work of Congresswomen GRANGER and LOWEY, on the Appropriations Committee, that has protected and has actually enhanced a little bit this important money that the United States provides—a small amount in the overall scheme of things but one that has a tremendous impact on lives around the world.

I urge my colleagues to take the time to listen to these dedicated volunteers. They have a message we should take to heart and act upon.

RECESS

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

Accordingly (at 11 o'clock and 7 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

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

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

In this Chamber where the people's House gathers, we pause to offer You gratitude for the gift of this good land on which we live and for this great Nation which You have inspired in developing over so many years. Continue to inspire the American people, that through the difficulties of these days we might keep liberty and justice alive in our Nation and in the world.

Bless the Members of this assembly with the wisdom they need to conduct the Nation's business with an eye toward the benefit of all, especially those most in need.

Bless as well the citizens of Ukraine, whose Prime Minister visits the Congress today. May our Nation be a good friend to that nation during these turbulent times, and may peace prevail in that part of the world.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Ms. BROWNLEY of California led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

HONORING THE MEMORY OF CAPTAIN JAMES HENRY CULLEN

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

Mr. CHABOT. Mr. Speaker, I rise today to honor the memory of Captain James Henry Cullen. Captain Cullen was born in my hometown of Cincinnati, Ohio, on January 9, 1923, and died in Springfield, Virginia, on September 9 last year. He grew up in Price Hill, attended Elder High School, and was a graduate of Xavier University.

Captain Cullen led a distinguished life and an honorable one as a devoted husband and father and as an accomplished naval officer.

As executive officer of the USS *Guadalcanal*, he oversaw the recovery of the *Apollo 9* space capsule in the Atlantic Ocean. He also served as director of operations, Pearl Harbor, and chief of staff Third Fleet, with responsibility for antisubmarine warfare in the Pacific and Indian Oceans, and was awarded the Gold Star.

Captain Cullen epitomized the term ''America's Greatest Generation.'' Our country has benefited greatly from his service, and as Americans, we owe him a debt of gratitude.

Full military honors at Arlington National Cemetery for Captain Cullen will take place on March 24.

Well done, Captain Cullen, and may you rest in peace.

FREEDOM OF THE INDIVIDUAL

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

Mr. BERA of California. Mr. Speaker, today, I want to speak about a case the Supreme Court is going to hear in a week, the Hobby Lobby case.

As a doctor, I took an oath to provide my patients with the best medical advice possible and empower them to make the decisions that impact their lives and to put them in charge. Women should be free to make the health care decisions that work best for them and respect their own faith and personal circumstances.

Allowing bosses to pick and choose the health care their employees receive sets a very dangerous precedent that could have far-reaching consequences. That is why the Hobby Lobby case that will be argued before the Supreme Court later this month is so important.

CEO David Green may oppose birth control—and that is his personal decision—but individual Hobby Lobby employees have their own moral and religious views, and they shouldn't have to subscribe to his.

This case isn't about the rights of corporate CEOs. It is about the rights of workers and patients everywhere. It is about the individual freedom to choose and make your own health care decisions.

We need to stop bosses and out-of-touch politicians who want to come into our exam room and make those health care decisions. Let's keep these bosses out of the exam room and allow women to make the health care decisions that impact their own lives.

OBAMACARE ENROLLMENT

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

Mr. WILLIAMS. When the Federal Government intervenes in the private sector, like ObamaCare, we end up with a celebrity in chief who chooses to spend valuable time marketing his product—ObamaCare—on comedy shows rather than focusing on our wavering economy, jobs, and crises in Ukraine, Syria, Venezuela, Israel, and North Korea.

This week, the administration released its number for total enrollment in the President's health care law—4.2 million. This falls miserably short of the President's goal to enroll 7 million people by the end of this month. And what is worse is that health care experts estimate that the majority of the 4.2 who have enrolled already had insurance. The White House won't admit this, even though they know exactly how many previously insured are part of the 4.2 million.

Mr. Speaker, this law was designed to insure the uninsured, but it is failing in every single way. It is not helping those it was supposed to help, and it is hurting those with coverage they wanted to keep in the first place. The President needs to put the will of Americans ahead of his own agenda and fix this mess he has created.

ObamaCare has turned into ObamaScare.

May God bless America, and in God we trust.

WOMEN'S UNEMPLOYMENT

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

Ms. BROWNLEY of California. Mr. Speaker, this Women's History Month, we learned that women continue to struggle with long-term unemployment. In fact, long-term unemployment among women increased from 34.8 percent in January to 37.7 percent in February.

According to a recent Pew Research Center study, women are the sole or primary breadwinner in 4 in every 10 American households with children. When women who have jobs only receive 77 cents to every dollar a man makes, when 70 percent of Americans in poverty are women and children, in a country where women, out of the gate, start out behind, refusing to extend long-term unemployment compensation to those who have looked for a job but cannot find one is particularly hurtful.

For all these reasons, we must renew emergency unemployment compensation—because when women succeed, then Ventura County succeeds; and when Ventura County succeeds, America succeeds.

ACKNOWLEDGING THE WICHITA STATE UNIVERSITY MEN'S BASKETBALL TEAM

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

Mr. POMPEO. Mr. Speaker, I am here this morning to acknowledge the Wichita State University men's basketball team and its unparalleled success this year. The number 2 ranked Shockers are the only team in the Nation that remains undefeated. At 34–0, the Wichita State Shockers are taking more wins into the NCAA basketball tournament than any team in the history of Division I basketball in the NCAA.

Our Shockers' head coach this year, Gregg Marshall, was just named the National Coach of the Year. The players on the court say proudly they have not played a single game that is tougher than any of their practices, and their play proves that team trumps individual every time.

It is said that some of these players were not five-star recruits, and that may be true, but I know them, and I can tell you they are five-star human beings. They come from places like Rockford, Illinois; Scott City, Kansas; Middletown, New York; and right in Wichita, Kansas. They come with no silver spoons. They are grinders; they are hard workers; they are scrappy; and they are fighters with big hearts.

They reflect our town and the best of America, and we love them. Godspeed to them.

Go Shocks.

UNEMPLOYMENT INSURANCE

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

Ms. FUDGE. Mr. Speaker, as our economy continues to experience high levels of unemployment and a flat labor participation rate, now is not the time to further decimate vital assistance to those who have lost their jobs through no fault of their own. I will not abandon 2 million Americans, including 200,000 veterans. We must give them a hand up.

Yesterday, I signed a discharge petition to force action on extending unemployment insurance benefits, a move supported by more than three-fourths of the American people.

Additionally, nationally, there are three unemployed people for each job created. For the long-term unemployed, there is just a 12 percent chance of finding a new job in any given month.

Congress must extend unemployment benefits to help keep American families out of poverty as they seek jobs. Each week we fail to act, another 72,000 people lose their benefits. We must act now.

FREEDOM OF RELIGION MEANS FREEDOM TO PRACTICE YOUR FAITH

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

Mr. LANKFORD. Mr. Speaker, when a family runs a business by the principles of their faith—which used to be protected in America—can a President step in and say: I disagree with your faith, so I will pass a regulation that says you can no longer practice your faith at work—you can at home, but not at work?

Hobby Lobby is a family-owned business that doesn't want Washington to be their boss. They believe that abortion takes the life of a child and that every child deserves a chance at life. What is wrong with that?

If a Federal employee disagrees with the faith practice of someone in a company, does that business have to change to the faith of the Federal employee, or can they keep their own faith?

It is now the rule that to open a company, work in a job, or get health care, you have to have the same religious convictions as the President of the United States. If you don't, you will be fined until you change your faith practice.

Just days ago, the President spoke at the National Prayer Breakfast about the cornerstone right of the free expression of religion. Does that include Americans who believe that children are a gift of God and they should be nurtured and cared for, not discarded as tissue?

Washington is not the boss of every American. Our Constitution matters; freedom of religion matters; and, quite frankly, children matter.

UNEMPLOYMENT INSURANCE

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

Mr. KILDEE. Mr. Speaker, on December 28, emergency unemployment benefits for Americans were cut off; and since then, 2 million Americans have lost their essential lifeline and have been missing their rent payments, missing their mortgage payments, trying to keep the house warm and put

food on the table. Congress has failed to act.

What is particularly concerning to me is some of the rhetoric that I hear would imply that those unemployed Americans are seeking benefits because they don't want to work. And, in fact, yesterday, I read a quote from the Budget Committee chairman—and I will try to get this correct—saying that, in America, there is a culture in our inner cities of men not even thinking about working or learning the value and the culture of work.

That is not the problem. The problem is a lack of opportunity. So I will take the chairman at his word that he was intending to say: so, therefore, we need to fully fund after-school programs, we need to fully fund pre-K programs, and we need to fully fund summer youth employment so that those young people do have a chance to experience the benefit and value of work, and that we provide a safety net to make sure that when they are not working, they don't lose their house, their car, and their family.

RECOGNIZING THE COLORADO FLOOD RESPONDERS

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

Mr. GARDNER. Mr. Speaker, I rise to recognize the dedicated men and women who have assisted the State of Colorado in our effort to recover from the devastating floods last September.

On September 11, Colorado experienced a major flood event which took the lives of beloved neighbors, destroyed over 2,000 homes and damaged 17,000 others. Our communities, friends, and neighbors had their lives changed forever and are still putting the pieces back together and rebuilding.

In the wake of the flood, local and State officials, private businesses and individuals, first responders, National Guard, FEMA personnel, and dedicated volunteers worked tirelessly to help Coloradans get life back to normal. While the recovery effort remains unfinished and won't be complete for some time, we are on a positive path forward. If it hadn't been for the committed and devoted people on the ground, Colorado would not be on that path today.

As with all natural disasters and tragedies of this magnitude, Coloradans rallied together and helped in the recovery effort. We still have more work to do. But I want to recognize on the House floor all those who joined together in these recovery efforts and helped Colorado in a desperate time of need.

As a fifth-generation Coloradan, I offer my deep appreciation on behalf of the State.

□ 1215

HONORING OFFICER NICHOLAS CHOUNG LEE

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

Mr. SCHIFF. Mr. Speaker, I rise today to honor the memory of Nicholas Choung Lee, a Los Angeles police officer who selflessly served his community.

Nicholas served for years in the LAPD, first in the Van Nuys division and later in the Hollywood division, assigned to a patrol car. He had worked as both a field training officer and vice officer in Wilshire before returning to patrol in the Hollywood division in 2008. In his 16 years of service he received more than 70 commendations.

Even as a police officer, family came first for Nicholas, who had a wife, Cathy, and two young daughters, Jalen and Kendall.

Tragically, and much too soon, Nicholas passed away on April 6 when a truck hit his patrol car in Beverly Hills.

We depend upon the bravery and dedication of police officers every moment of every day, and we often forget the dangers and challenges they face on our behalf. I ask all members to join me in expressing our condolences to the Lee family and the entire LAPD.

HONORING AMOS ROJAS, JR.

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

Ms. ROS-LEHTINEN. Mr. Speaker, Amos Rojas, Jr., was sworn in yesterday as the U.S. Marshal for our southern district of Florida.

A consummate public servant, Marshal Rojas served 24 years of his career with the Florida Department of Law Enforcement, including 8 years as a special agent in charge of the Miami region's operations center.

Marshal Rojas was most recently deputy director of the South Florida Money Laundering Strike Force within the Miami-Dade County State Attorney's Office.

The U.S. Marshal Service traces its roots back to the Judiciary Act of 1789 under President George Washington and has played many important roles throughout our Nation's history.

I am proud to see Marshal Rojas join this elite and storied law enforcement agency.

Congratulations, again, to south Florida's new top cop.

HOBBY LOBBY V. SEBELIUS

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

Ms. SLAUGHTER. Mr. Speaker, the Supreme Court will soon hear oral arguments in the case commonly referred to as Hobby Lobby v. Sebelius. The outcome of this case will determine whether or not a for-profit company has the right to limit a female employee's access to health care under the guise of religious freedom.

Already the Supreme Court has wrongly declared that corporations have a right to ''freedom of speech,'' as determined in the case of Citizens United. In just a few short years, this ruling has led to a flood of undisclosed money into our elections and corrupted our political system. Corporations' latest attempts to secure the constitutionally-protected rights of citizens is equally as dangerous.

Only a living, breathing woman should have the right to decide how and when she wants to have a family. Regardless of her decision, that choice belongs to her and not to the corporation for which she works.

Millions of women depend upon birth control pills for reasons beyond preventing unintended pregnancies, including a 13-year-old girl in my district, who would rather be in her classroom learning but who spends lots of time in a doctor's office trying to control uncontrollable bleeding. Yet, through no fault of her own, she finds herself at her doctor's office often, and then just recently had to have a blood transfusion.

This young woman relies upon birth control medication to control her bleeding, a medication that her family can only afford because her mother's access to contraceptive care is not violated by her employer.

If the Supreme Court once again interprets our Federal law to grant citizen freedoms to a corporation, it will directly threaten the rights of this young girl and millions of women around the country. We cannot allow that to happen.

HONORING LIEUTENANT NATE KING

(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 in honor of Lieutenant Nate King of the Charlotte-Mecklenburg Police Department.

Just a few days ago, Lieutenant King was conducting routine police business when a frantic mother drove up and placed a seemingly lifeless baby into his arms. Six-month-old Lily was choking to death. Without losing his cool, Lieutenant King quickly began life-saving measures, and soon little Lily started screaming and crying. Thanks to Lieutenant King's efforts, little Lily is alive today.

Even better, the doctors who examined Lily that day at the hospital determined she was fine and had made a full recovery.

On behalf of Congress and the people of North Carolina's Ninth Congressional District, thank you to Lieutenant King for your exceptional service. You make us all proud.

Thank you to all the brave men and women of the Charlotte-Mecklenburg Police Department who face diverse difficult challenges, even placing their lives on the line to serve us each day.

CONGRESSIONAL DIGITAL DAY OF ACTION

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

Mrs. CAPPS. Mr. Speaker, I rise on behalf of the millions of women who now have access to essential preventive health services, including birth control, without financial barriers.

Nearly every American woman will choose to use birth control at some time in her life. It helps women plan for the time they are healthy enough and financially ready to start a family. That is better for her and for her family.

That is why the Institute of Medicine deemed it an essential preventive health service for women. Women across the Nation support it being available to them with no copay.

Now, some women have found that their bosses think they know better than they do, that their CEO has more at stake in her health care decisions than her doctor. This is not right. Every woman has the right to be in charge of her body and her health. Suggesting otherwise is offensive, out of touch, and out of bounds.

KEYSTONE XL

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

Mr. WEBER of Texas. Mr. Speaker, I rise to voice my support for the approval of the Keystone XL pipeline.

As many Americans know, this pipeline will provide an immediate boost to our economy and strengthen national security. That is important. Ask the Ukrainians. This pipeline will create over 40,000 jobs, foster a more energy independent North America, bolster our Nation's weakened infrastructure system, contribute approximately $3.4 billion to our GDP, and generate needed tax revenues in several States.

After a thorough review of the pipeline proposal, the State Department determined it would have no significant negative environmental impact.

The Department's inspector general also concluded that the pipeline's environmental impact study was sound. This is the latest in a slew of reports rejecting the administration's excuses on Keystone.

Mr. Speaker, this President has vowed that this will be a year of action. House Republicans urge him to act. He should immediately approve the Keystone XL pipeline and put Americans back to work.

I am RANDY WEBER, and there you have it.

INSURANCE-COVERED CONTRACEPTION

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to bring attention to the congressional digital day of action on the Hobby Lobby Supreme Court case. Thanks to the Affordable Care Act, 27 million women have access to insurance-covered contraceptives. Nearly 2 million of those women come from my home State of Texas.

Unfortunately, Hobby Lobby, the largest importer in my district, asserts that employers should control the choices of women to have access to contraception and preventive care. However, 70 percent of Americans disagree with that heinous assertion.

While individuals have their own religious beliefs and consciences, businesses that employ thousands of hardworking Americans do not. The implication that a boss could potentially decide what health care treatments any employee can receive are more far-reaching than just contraceptive care.

What can be next? An employer denying coverage of routine immunizations or vaccinations because of religious belief?

It is offensive that an employer believes they have the right to make these personal decisions for their employees. I urge my colleagues to stand up and fight against this discriminatory action taken by Hobby Lobby.

THE IMPERIAL PRESIDENCY

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

Mr. MESSER. Mr. Speaker, a headline in today's Roll Call reads:

White House, Democrats cry foul over GOP push to enforce immigration and other laws.

Really? The Constitution is clear about how our government is supposed to work. Congress makes the laws; the President enforces them. President Obama should know that, since he used to lecture about constitutional law.

The President isn't the first to stretch the bounds of executive authority, but the proper constitutional limits on the President's power are long in this administration's rearview mirror. He has disregarded laws that he disagrees with, even when they are his own.

The American people are demanding respect for the rule of law. They want our system of checks and balances restored so that their government reflects the will of all, not just one. That is why we passed the ENFORCE the Law Act yesterday, and that is why we will continue to demand the President do his job, not ours.

FALLING UNEMPLOYMENT AND FAIR PAY

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

Mr. VEASEY. Mr. Speaker, I rise today to highlight an issue impacting constituents in my district and all across the Nation. Recently, statistics were published lauding Texas' falling unemployment rate. Articles say that Texans are finding good jobs.

I want to rise today to speak on behalf of those that have a hard time making it each month. Many of these so-called good paying jobs, after working 40 hours a week, pay about $15,000 a year. Sometimes these hardworking Americans have to work two or three jobs just to make it at the end of the month.

Mr. Speaker, the truth is that Texas families are hurting and struggling every day just to put food on the table and to put clothes on their kids' backs.

I was talking to a lady at Luby's just the other day that asked me, What are we going to do about the minimum wage? We need to vote on the minimum wage—H.R. 1010, that would raise the minimum wage and bring over 5 million Americans out of poverty.

I have signed the discharge petition and urge you to bring this bill up for a vote.

REMEMBERING PHILIP WOOD

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

Mr BURGESS. Mr. Speaker, last weekend 239 passengers on a Malaysian airplane were lost. As of this morning, I don't think we yet know their fate. According to the Fort Worth Star-Telegram, one of those residents used to call Keller, Texas, home. I want to share with the body what his family had put out as a public statement:

> Philip Wood was a man of God, a man of honor and integrity. His word was gold. Incredibly generous, creative, and intelligent, Phil cared about people, his family, and above all, Christ. Though our hearts are hurting, we know so many families around the world are affected, just as much as us, by this terrible tragedy. We ask for your prayers, not only for ourselves but for all involved during this difficult time.
>
> As a family, we are sticking together through Christ to get through this. Thank you for your understanding.

Words I think we can all take to heart while we ponder the fate of those individuals lost on that plane.

EXTENDING EMERGENCY UNEMPLOYMENT INSURANCE

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

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today with a heavy heart. I ran for Congress to help people. It is

past time to extend emergency unemployment insurance, and I am ready to vote to do so today.

Unfortunately, this Republican Congress is denying more than 2 million people across the country the opportunity to support their families and get back on their feet.

Extending emergency unemployment insurance is simply the right thing to do. Have Republicans lost their compassion or have they simply lost touch with reality? Every week, another 72,000 Americans run out of unemployment insurance. In Georgia, 75,000 people have already been cut off. This is supposed to be a lifeline for people who are involuntarily unemployed. No one wants to be unemployed.

It is essential we show the compassion our forefathers displayed when America was rebuilding itself after the Great Depression. We must come to compromise when it comes to helping those looking for work.

□ 1230

PROTECTION OF WOMEN'S RIGHTS

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

Ms. CLARK of Massachusetts. Mr. Speaker, a few weeks ago, I stood here to advocate for better economic policies for women because what this Congress takes up week after week doesn't reflect the priorities of the women I talk to at home.

When I talk to the women in my district, the common thread is clear. Women just want a fair shot. They want to know, if they work hard and play by the rules, they will succeed and their families will succeed.

Unfortunately, there are some that just don't get it. Just last month, we had to fight against an unconscionable bill attacking a woman's right to choose her own health care decisions. The Hobby Lobby case the Supreme Court will hear in a few weeks will decide if a woman's boss can choose what type of care and medicine she can access.

When it comes to ensuring that women get a fair shot, we have to protect a woman's right to make her own health care decisions and her ability to plan for her family and her future.

That is why I am proud to stand with my colleagues from the Pro-Choice Caucus in signing the amicus brief to ask our Supreme Court to protect this critical right for women and their families.

EMPOWERING FAMILIES TO CHOOSE PUBLIC SCHOOLS

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

Mr. POLIS. Mr. Speaker, just as the storied competition between the New York Yankees and the Boston Red Sox works to improve both teams, so does school choice and empowering families to choose the public school that best fits their kids to improve all of our public schools.

Our Education and the Workforce Committee this week had an excellent hearing on charter schools, which I encourage my colleagues to look at the record of. We heard testimony from across the country about the tremendous role that charter schools are playing as part of our public education system in ensuring that all students have access to a quality education.

In addition to charter schools, making sure that States have policies like Colorado does for open enrollment within a district and between districts, parents should be empowered to choose their neighborhood school, a magnet school, a charter school, another public school, with an educational model that fits the unique learning needs of their kid.

In this way, we can ensure that the next generation of American children are prepared to succeed in the 21st century.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK.
HOUSE OF REPRESENTATIVES,
Washington, DC, March 13, 2014.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 13, 2014 at 9:39 a.m.: that the Senate passed S. 611.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

PROVIDING FOR THE REAPPOINTMENT OF JOHN W. McCARTER AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 32) providing for the reappointment of John W. McCarter as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S.J. RES. 32

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of John W. McCarter of Illinois on March 14, 2014, is filled by the reappointment of the incumbent. The reappointment is for a term of 6 years, beginning on March 15, 2014, or the date of enactment of this joint resolution, whichever occurs later.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3189, WATER RIGHTS PROTECTION ACT; PROVIDING FOR CONSIDERATION OF H.R. 4015, SGR REPEAL AND MEDICARE PROVIDER PAYMENT MODERNIZATION ACT Of 2014; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MARCH 17, 2014, THROUGH MARCH 21, 2014

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 515 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 515

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3189) to prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such

amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4015) to amend title XVIII of the Social Security Act to repeal the Medicare sustainable growth rate and improve Medicare payments for physicians and other professionals, and for other purposes. All points of order against consideration of the bill are waived. The amendment printed in part B of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 3. On any legislative day during the period from March 17, 2014, through March 21, 2014—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 515 provides for consideration of H.R. 3189, the Water Rights Protection Act, under a structured amendment process, making in order three amendments and providing for extra time for debate for the substitute amendment, which will be offered by Mr. POLIS.

The rule also provides for the consideration of H.R. 4015, the SGR Repeal and Medicare Provider Payment Modernization Act of 2014 with one amendment, offered by Chairman CAMP from the Ways and Means Committee, being self-executed in order to ensure that the legislation has a valid pay-for.

This is necessary so that the bill before us does not run afoul with the majority's rule on CutGo. As is customary, the rule allows the minority to offer a motion to recommit on each bill. Finally, the rule provides for the customary district work period authority.

H.R. 3189, the Water Rights Protection Act, addresses a concern of a number of our Western State colleagues who have experienced the Federal Government threatening to take over the private water rights of businesses and private citizens held on public lands.

The bill, sponsored by Representative SCOTT TIPTON from Colorado, is a bipartisan effort to protect water supplies and property rights designated for recreation, agriculture, local conservation, and municipal use from Federal Government overreach.

The bill protects water users and upholds State water laws by prohibiting Federal agencies from extorting water rights through their use of permits, leases, and other land management arrangements.

If the floor debate on this bill is anything like the debate which members of the Rules Committee observed last night, this discussion will be spirited, as this issue deeply affects Western States, where so much of their land is controlled by the Federal Government.

The second bill, H.R. 4015, the SGR repeal legislation, is an issue that I have worked on my entire congressional career. It reflects years of bipartisan, multicommittee, bicameral discussions and negotiations, bringing together Members of all ideological stripes, as well as those from the outside, to coalesce around a policy to help patients and to help their care providers get out from under the constant threat of payment cuts under the current sustainable growth rate structure for Medicare payments.

Everyone agrees, Mr. Speaker, that the Medicare sustainable growth rate has got to go; but today, we are considering an actual framework to realistically accomplish that goal.

This formula—the sustainable growth rate formula—was enacted as part of the Balanced Budget Act of 1997 in an ultimately misguided means by which to restrain Federal spending in Medicare Part B.

The formula consists of expenditure targets, which are established by applying a growth rate, which is designed to bring spending in line with the expenditure targets over time.

Since 2002, this formula has called for a reduction to physician reimbursement rates. However, every Congress has consistently passed legislation to override this formula. This has led this body to find over $150 billion with no solution out of this annual mess.

If Congress were to let the SGR go into effect, physicians would face a 24 percent reduction in reimbursement rates in just a few weeks' time. This unrealistic assumption of spending and efficiency have plagued the health care profession and our Nation's seniors.

The bill before us repeals the SGR—let me repeat that because it is so important—this bill repeals the sustainable growth rate formula, avoiding potentially devastating across-the-board cuts slated for 2014 and does so at a cost far lower than what Congress has already spent or would likely spend over the next 10 years' time.

The bill provides for 5 years of payment transition, essential to allow us to ensure continued beneficiary access, to allow medicine to concentrate on moving to a broad adoption of quality reporting, and allow Congress to move past the distraction of this formula to identify Medicare reforms that can further benefit beneficiaries.

This bill will also allow providers the time to develop and the time to test quality measures and clinical practice improvement activities, which will be used for performance assessment during other phases of this bill. During the 5-year stability period, physicians will receive annual increases of ½ of 1 percent.

I know, I can hear it already. That is not very much. Correct, it is not; but it is more in aggregate than what has been provided over the last several years. More importantly, it provides that stability so physician offices can plan and plan ahead on how to take care of their patients.

□ 1245

The quality measures implemented in what is called the Merit-Based Incentive Payment System will be evidence-based and developed through a transparent process that will seek input from provider groups, from patient groups, and from other stakeholders.

Quality reporting will involve a provider's being judged against its practice rather than a one-size-fits-all, generic standard of care that does not take into account the unique practices of various specialty providers.

Providers will also self-determine their measures. We consolidate three reporting programs into the Merit-Based Incentive Payment System, easing the administrative burden on doctors while retaining the congressionally established goals of quality, resource use, and meaningful use.

The new reimbursement structure ensures continued access to high-quality care while providing physicians with certainty and security in their reimbursements. Physicians will be aware of the benchmarks they are competing against, and unlike current law, all penalties assessed from those not meeting the benchmarks will go to those who are. This keeps the dollars

in the Medicare system, and that, ultimately, drives the quality, which benefits Medicare patients.

Standards against which providers will be measured will be developed by professional organizations in conjunction with existing programs and will incorporate ongoing feedback to doctors, thus further ensuring that optimal care is ultimately provided to the patient.

Realtime feedback will be gained through registries and performance data, and doctors are encouraged to participate in the process through data reporting. For eligible professionals who choose to opt out of the fee-for-service program, alternative payment models will be available. These alternative models may include patient-centered medical homes, whether they are primary or specialty models, and bundles or episodes of care. By encouraging alternative payment models, care coordination, and disease management, our proposed solution will inspire innovation. Qualifying practices that move a significant number of their patients into one of these alternative payment methods will see a 5 percent quality bonus. The bill will also take affirmative steps to improve the accuracy of relative values and misvalued services.

But even though we are taking these important steps toward ensuring quality care, the bill specifically states that these quality measures are not creating a Federal right of action or a legal standard of care or a duty of care owed by the health care provider to the patient.

Mr. Speaker, we have had a lot of discussion. I know my friends on the other side of the dais may disagree with having to pay for new spending, but this is an important reform that Republicans put in place when they reclaimed the majority after the 2010 elections. If you want to increase mandatory spending, you should reduce mandatory spending elsewhere. This is a simple concept, and I know that my constituents and many Americans agree with this.

The Democrats' substitute highlights the difference between the parties on this issue. Democrats have embraced a budget gimmick to offset their bill, a gimmick that even the nonpartisan Congressional Budget Office has said is not scorable. There is no way that it will pay for anything, because the score is zero.

Republicans want to reform Medicare and the payment system in a responsible way and do so in a way that is paid for. If my colleagues on the other side can find a legitimate offset, I am happy to review it. In fact, this is exactly what we are asking of the United States Senate. You don't like our offset. Offer one of your own, and let's work together to pass these much-needed reforms.

This bill is consistent in its themes throughout. We provide payment stability, reduce and streamline the administrative burden, increase predictability in doctors' interactions with the Centers for Medicare and Medicaid Services, build transparency into systems, encourage innovation and the delivery of services, and keep providers in the driver's seat.

I encourage my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying bills.

I reserve the balance of my time.

Mr. POLIS. I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, we have two bills before us under this rule, which I will briefly discuss before getting into the more important topic of what bills are not being considered on the floor of the House this week.

Notably, despite comprehensive immigration reform's having passed the Senate with more than two-thirds support, despite the fact that there are more than 10 million people here in this country illegally, despite the fact that our borders are porous and that people are sneaking across, as well as illicit goods, despite the fact that we have no meaningful workplace enforcement, despite the fact that farmers and the faith-based community are crying out for reform—the business community, the tech community, labor—there is no immigration bill on the floor of the House today. Instead, we are discussing two bills.

We are discussing one SGR fix. Now, that sounds obscure to people, ''SGR fix.'' What is that? This is the reimbursement rate for doctors under Medicare, and there is a budgetary fiction that long predates me in this place. I assume that, at the time, Republicans and Democrats created this elaborate budgetary fiction together as this degree of budgetary fiction requires both parties' most creative thoughts to possibly put it together. So we pretend every year that there are going to be large cuts to Medicare. I think Republicans and Democrats know that that is not likely to happen. Those cuts would completely gut Medicare. Doctors would drop Medicare patients if those cuts were to occur.

So each year and sometimes shorter than a year—sometimes 6 months, sometimes 3 months, sometimes 2 years—Democrats and Republicans have to come together to figure out how to avoid those automatic cuts that otherwise occur. That discussion is about how to pay for avoiding those cuts each time.

Democrats have suggestions to pay for it—let's eliminate oil and gas loopholes; let's use the overseas contingency fund. Republicans have ideas about how they want to pay for it—in this case, the 52nd repeal of ObamaCare. By the way, they want to keep all of the taxes from ObamaCare; they just want to get rid of some of the benefits. So they are going to keep all of the taxes from ObamaCare—those Republicans love those taxes—but they are getting rid of some of the benefits. That is the secret of what they are using to pay for it, just so you know.

The real discussion is how to do it, but in this case, the Republicans are presumably so embarrassed about their pay-for—the fact that they are using the ObamaCare taxes to pay for Medicare—that they are slipping it into the rule in what is called the ''deem and pass'' language, or what is characterized by some as the ''demon pass'' language.

This rule says:

> The amendment printed in part B of the report of the Committee on Rules accompanying this resolution shall be considered as adopted.

That means there is not even going to be a vote on the actual way to pay for avoiding the Medicare cuts. It is in the rule, itself. This is the most costly rule I have ever seen. This rule costs $138 billion of ObamaCare taxes that the Republicans want to use. This is an expensive rule, Mr. Speaker. If there is a real desire to talk with Democrats about ways to pay for the Medicare SGR fix, also called the ''doc fix,'' we are happy to do it. We were hoping that you would allow a Democratic pay-for sponsored by Mr. TIERNEY, who will talk about the previous question. Our idea is to use the Overseas Contingency Fund to avoid any cut to Medicare beneficiaries, but this rule does not allow us to do that. This rule doesn't even allow the House to vote on using ObamaCare taxes to pay for SGR. It includes the ''deem and pass'' language in the rule, itself—a rule, itself, that includes self-executing language that costs $138 billion. That is one expensive rule, Mr. Speaker, and I certainly hope my colleagues vote ''no.''

This rule also includes H.R. 3189, the Water Rights Protection Act. As my colleague said, those of us in the West feel that whiskey is for drinking and water is for fighting about. I think the debate on the Rules Committee last night and the upcoming debate here on the floor will probably reflect that old adage. The genesis of this particular bill is something that Mr. TIPTON and I and, I think, many Members of this body agree on. We wanted to address a narrow dispute between the U.S. Forest Service and ski permit holders that directly impacts my district and impacts Mr. TIPTON's district.

I support Mr. TIPTON's efforts in that regard, and I was hoping we could have gotten the bill to a point where it would have passed near unanimously or unanimously. Instead, this bill has become a job-killing Republican water grab that even the counties that it was designed to help oppose. The counties in my district that have ski resorts—Eagle, Rand, Summit County, famous resorts like Winter Park, Vail, Arapahoe Basin, Breckenridge, among others—now oppose this bill because it will destroy jobs in their counties by destroying recreational opportunities like white-water rafting, fishing, year-round tourism opportunities, which are

critical to the economic success of my district.

These changes to this job-killing Republican water grab have caused this bill to snowball into an effort that will hurt our rivers' health, destroy recreational opportunities, and the underlying bill jeopardizes the agreements that leave waters in streams and rivers, which allow our tourism industry to be so vibrant. Even some of the counties, as we mentioned in the Rules Committee yesterday—certainly not all of those counties—like Pitkin County and the home of Aspen and Mr. TIPTON's district, also oppose this bill. Again, there was an overreaching decision by the U.S. Forest Service that required ski area permittees to transfer the ownership of water rights to the Federal Government. In 2012, that water directive was overturned by a U.S. District Court judge.

It is important to note that I believe in the purpose of this bill, and I hope that we can address it through the amendment that I have offered, which allows for 20 minutes of floor debate under this bill. This bill can still be saved by this body's endorsing the amendment that I have offered as part of this bill, which is also supported by ski area representatives from across the Mountain West, along with my colleagues from Colorado Ms. DEGETTE and Mr. PERLMUTTER.

Unfortunately, this job-killing Republican water grab bill uses the ski area directive as a pretense for making wholesale job-killing changes. Look, ski areas have been a punching bag for U.S. Forest Service's misguided policies for the last decade. I think we can find common cause around a narrow solution. In that time, the Forest Service has changed the ski area water policies four times. It has inconsistently enforced others' water clauses. It has left ski areas subject to the agency's whim. They are very capital-intense ski areas. They are the major economic driver of the mountain areas of my district, but they have been at the whim of sometimes arbitrary Federal actions. Ski areas collectively hold water rights worth hundreds of millions of dollars that are critical for their businesses.

Now, my colleagues might wonder what kind of improvements a ski area might want to make. In 2011, this body unanimously voted to support the Ski Area Recreational Opportunity Enhancement Act, which allowed ski areas to expand summertime activities, like zip lines and mountain biking. Amongst some of those other summertime activities that ski resorts benefit from are white-water rafting, fishing—the very kinds of recreational opportunities that will be impacted by this job-killing Republican water grab.

I entered several pieces of testimony into the record in the Rules Committee yesterday—statements from water districts and from counties—with regard to how this bill will impact recreational opportunities in Colorado. Along with Ms. DEGETTE, Mr. PERLMUTTER, Ms. DELBENE, Ms. KUSTER, Mr. CARTWRIGHT, and Mr. HUFFMAN, I was proud to offer an amendment that would fix and address the issues in H.R. 3189 and return the bill to its original purpose.

The amendment ensures that any U.S. Forest Service directive will not condition ski area permits on the transfer title of any water right or require any ski area permittee to acquire a water right in the name of the United States. The amendment ensures the long-term viability of ski areas, and it makes sure that this bill is not the job-killing Republican water grab that it has become.

It is important to note that the narrow dispute that was the genesis of this bill could have been solved with a suspension measure. We have offered language repeatedly to Mr. TIPTON and his staff, to the committee and its staff, but we were not taken up on that offer, sadly. Instead, we have before us a job-killing Republican water grab bill that would devastate my district.

□ 1300

Instead, the manager's amendment was offered, as well as additional language in committee.

This bill is riddled with problems that are not addressed. The bypass flows issue is not solved in the manager's amendment, which does address the Endangered Species Act component but does nothing to address the issues around the Forest Service, BLM, Interior, and Agriculture agencies that also have relevant authority under a number of statutes, including the Federal Land Policy and Management Act, Forest Service and Park Service Organic Act, and Wild and Scenic Rivers Act, to impose bypass flows.

Simply put, the manager's amendment doesn't make the necessary improvements to make this a bipartisan measure—they are simply window dressing for a job-killing Republican water grab.

Let's talk about some of the issues in the underlying legislation.

In the West, water rights are State-based, and any challenge to a right or to the system itself is a very delicate proposition to years of precedence and claims, subordinate and senior, with regard to water.

As a result, this legislation only serves to cast doubt on the complicated laws and authorities that make up our Nation's and State water laws, and that companies, individuals, and counties have made decisions on and already have economic investments in.

In addition, this bill, absent my amendment, muddles the message of disapproval over the 2011 decision.

What exactly are we saying with regard to this bill? A bill that was meant to address the needs of ski areas because of the 2011 directive instead has become an all-encompassing, job-killing Republican water grab, which is not even a clear signal of our unhappiness with the original directive.

I think not only would there be a much cleaner path to actually become the law of the land if we were to consider a targeted approach encompassed by the amendment that I have offered, but it also, even absent becoming law, would send a clear and unambiguous message to the U.S. Forest Service of congressional disapproval of the directive.

Instead, I think they will just shrug their shoulders and say, That is that crazy House of Representatives.

This bill is not going to become law. This bill will not have any impact—and the message is lost with regard to the 2011 directive.

If they think this is the House's reaction—muddled, job-killing, water-grabbing—to this sort of thing, what is to stop them from doing this again? What is to stop them from targeting ranchers? What is to stop them from targeting recreation areas?

When this kind of thing occurs, we need a targeted reaction that can become law or a clear and unambiguous message that the House will not stand for it.

In summary, this rule contains $183 billion in ObamaCare taxes that are spent for another purpose and allows two bills to come to the floor, both of which could be negotiated in good faith with the Democrats, and both of which have not.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute to respond to some of this, just to put things in context on a timeline.

H.R. 4015 was introduced on February 6, 2014. The bill has been available to all Members and the public for more than a month. The bill is cosponsored by the bipartisan chairs and ranking members of the Committees on Energy and Commerce, Ways and Means, and the Senate Finance Committee.

We are recommending no changes to the underlying substance of H.R. 4015, which has been negotiated on a bipartisan basis.

I do believe that providing offsets for new spending is an appropriate course of action. Therefore, the Camp amendment saves almost $170 billion over the next 10 years, and this rule ensures that we aren't making future generations foot the bill.

I yield 4 minutes to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. I thank the gentleman for yielding.

Mr. Speaker, it is with some dismay that I have to address some of the comments that have been made by my good friend and colleague from Colorado.

Unfortunately, through their own words, they are willing to throw farmers and ranchers—hardworking Americans—under the bus, for an ideological cause, something that we simply cannot accept in the West. In the Western United States, water is the lifeblood of our communities. H.R. 3189 codifies that existing right.

The water grab that is taking place is not by this legislation but by the

very Federal Government that our opponents seem to want to be able to protect and put in a position of authority over State rights and the Fifth Amendment of the Constitution.

As a sponsor of this bipartisan legislation, I support the rule on H.R. 3189, and I encourage an open debate because I believe the merits of this bill will truly speak for themselves.

Federal attempts to be able to manipulate Federal permit, lease, and land management processes to circumvent long-established State water law and hijack privately held water rights have sounded the alarm bell for all non-Federal water users that rely on these water rights for their livelihood.

The most recent case of the Federal Government's overreach and infringement on private property rights involves a U.S. Forest Service attempt to require the transfer of privately held water rights to the Federal Government as a permit condition on National Forest System lands. There is no just compensation for the transfer of these privately held rights, despite the facts that many stakeholders have invested millions of their own capital in developing them and, in many cases, rely on them for their livelihoods.

This Forest Service permit condition has hurt a number of stakeholders in my home State of Colorado, including the Powderhorn ski area near Grand Junction. The Aspen ski area in my district, which he cited, supports this legislation.

Despite having been excellent stewards of the environment and their water rights, the Forest Service has demanded the relinquishment of State-granted water rights from these ski areas in order to continue their operations.

The same tactics have been used in Utah, Nevada, and other Western States where agencies have required the surrender of possession of water rights in exchange for approving the conditional use of grazing allotments.

This water grab has broad implications that have begun to extend beyond the recreation and farming and ranching community, and are now threatening municipalities and other businesses.

As a result of efforts that began in 2011 and encompass testimony from several hearings by the Natural Resources Committee, conversations with numerous stakeholders across Colorado and the West, and close collaboration with my friends on the committee, I introduced this bipartisan Water Rights Protection Act.

This legislation provides critical protection for water rights holders from Federal takings by ensuring that Federal agencies cannot extort private property rights through uneven-handed negotiations. The Water Rights Protection Act offers a sensible approach that preserves water rights and the ability to develop water requisite to living in the arid West without interfering with water allocations for non-Federal parties or allocations that protect the environment that is cherished by all Westerners.

To this end, the bill prohibits Federal agencies from pilfering water rights through the use of permits, lease, and other land management arrangements for which it would otherwise have to pay just compensation under the Fifth Amendment of the Constitution. The bill also prohibits Federal land management agencies from forcing water users to apply for or acquire water rights from the United States rather than for the water users themselves.

Finally, this commonsense legislation provides certainty by upholding longstanding Federal deference to State water law in which countless water users rely.

As the American Farm Bureau states in their letter of support:

> H.R. 3189 grants no new rights to any party, nor does it in any way infringe on existing rights of individuals, States, or the Federal Government. This legislation simply reaffirms what has been existing law for generations in the West.

I am proud that this important piece of legislation that is supported by a broad coalition of stakeholders is now present. Water is our most precious resource in the West, and long-held private property rights to it must be protected from uncompensated Federal takings.

I urge adoption of the rule.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), to further discuss the rule that allows for the debate of the job-killing Republican water grab and the bill to keep ObamaCare taxes and remove the benefits.

Ms. JACKSON LEE. I thank the gentleman very much.

Might I make a March plea in this March madness?

Can't we all get along and work together on important items such as water rights and the SGR?

I rise, first of all, to make it very clear that I am a strong supporter of providing adequate compensation to our physicians who serve Medicare patients. It is important for our seniors to know that Medicare will be there when they need it. But it is equally important that there are physicians who are willing to attend to them without going broke.

Let it be very clear that I believe my record has been extremely strong on the idea of making sure the benefits for seniors are not cut.

The misrepresentation that the Affordable Care Act cuts Medicare benefits is not true. Now we have the sustainable growth rate, which we had bipartisan support for, and all of a sudden we have a poison pill of a self-executing rule, which was challenged in the Rules Committee, to take money from the Affordable Care Act to allegedly help the doctors.

Every doctor I speak to wants a permanent fix for the SGR. There are a number of suggestions made in the other body, somewhat unpleasant, but we were willing to look at those particular suggestions.

As with any business, medical clinics and physician offices have payrolls to meet, bills to pay, and expenses to meet as they become due. Why are we playing with them when, in essence, we know that this is not going anywhere? Why are we not taking care of these physicians who spend 8 years and hundreds of thousands of dollars to work to gain a degree because they are healers, they believe in it, they want to serve the public. Now, rather than have a bipartisan bill—in the spirit of St. Patrick's Day—and be able to come together and work together, no, we have a bill that poses a serious problem.

I oppose the rule because it corrupts what would otherwise be a strongly supported bipartisan bill to sustain physician reimbursement rates, and it is another attempt, again by our friends on the other side, to disregard and mislead the public about the Affordable Care Act.

Let me clearly say that 11 groups representing the Nation's seniors—doctors and advocates—sent a letter to congressional leaders urging the House to reject the Republicans' toxic doc fix, the GOP's 51st vote to repeal.

From the letter:

> The undersigned organizations representing Medicare beneficiaries and providers appreciate the bipartisan, bicameral work done to repeal the Sustainable Growth Rate, SGR, and reform the Medicare reimbursement system. The current effort to link, however, SGR reform with changes to the Affordable Care Act injects partisan politics in bipartisan legislation.

Access to health care for more than 50 million Americans with Medicare is a serious matter. We should not schedule a vote that does not take seriously the idea of making sure our doctors get sufficient compensation.

The other wrongheaded approach to this is there are no amendments being allowed. No amendments, Mr. Speaker. A closed rule. I just saw some documentation of how many closed rules we have had in this House.

The SPEAKER pro tempore (Mr. WOMACK). The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. I thank the gentleman.

The Jackson Lee amendment that was not allowed would have ensured that, notwithstanding any provision of this act, no delay in the application of any provision of the Affordable Care Act would have occurred. It would have called for some studies about Medicare providers. It would have given us real information.

Jackson Lee amendment No. 2 would have required the Secretary to submit a report on cost savings.

The real point is, between skewing the water rights of people and the SGR, this rule should be opposed. We should get back to the drawing board.

Can't we all get along and work together on the right kind of legislation for water rights? More importantly, Mr. Speaker, our doctors deserve better, and I will say to them, you will get better from us.

Mr. Speaker, I rise to speak in strong opposition to the Rule for H.R. 4015, the SGR Repeal and Medicare Provider Payment Modernization Act of 2014.

Let me say first that I am a strong supporter of providing adequate compensation to our physicians who serve Medicare patients. It is important for our seniors to know that Medicare will be there when they need it. But it is equally important that there are physicians who are willing to attend to them without going broke.

That is why we have a Sustainable Growth Rate or ''SGR.'' Medicare reimbursement enables rural physicians and hospitals to remain open for business.

As with any business, medical clinics and physician offices have payrolls to meet, bills to pay, and expenses to meet as they become due. If revenues are not sufficient to cover costs, the business will not long survive.

Thus, it is critical that we not disrupt timely and adequate payment to Medicare providers.

The problem with H.R. 4015 is what happened in the Rules Committee.

The Rules Committee, on a party line vote, added language to the Rule for H.R. 4015 that would delay the Affordable Care Act's implementation of the individual mandate.

I oppose the Rule for two reasons:

It corrupts what would otherwise be a strongly supported bipartisan bill to sustain physician reimbursement rates for medical services approved under Medicare, and

It is another attempt by the Republicans to mislead the public regarding the Affordable Care Act.

The Jackson Lee Amendments offered to the Rules Committee for H.R. 4015 would have improved the bill by removing the uncertainty that physicians would not keep the reimbursement rates they now have for treating patients under Medicare.

Jackson Lee Amendment #1 would have ensured that notwithstanding any provision of this Act, no delay in the application of any provisions of the Affordable Care Act's individual mandate can take effect before January 21, 2017.

Jackson Lee Amendment #2 would have required the Secretary of Health and Human Services to submit a report to Congress on the impact of the Medicare provider payments on the diversity and availability of physicians and hospitals to underserved rural and urban communities.

Jackson Lee Amendment #3 would have required the Secretary of Health and Human Services to submit a report to Congress on the cost savings associated with people no longer using emergency rooms or acute care facilities as their primary means of obtaining health care.

Jackson Lee Amendment #4 would ensure that the bill cannot be construed or interpreted to permit or require a delay in the application of the Affordable Care Act's individual mandate.

I know that many predicted that the Affordable Care Act would cause havoc on the nation's health care system. But it is not the ACA that is causing havoc—it is the 50 desperate but futile attempts by the Tea Party to scuttle a law that has been passed by Congress, signed by the President, upheld by the Supreme Court.

The most threatening actions to our nation's healthcare system by Tea Party Republicans are their attacks on Medicare.

In 2014, according to the Kaiser Foundation 16% of the nation's people have medical insurance under Medicare:

Texas has 12% of its residents insured under Medicare;

Arkansas, Florida and Vermont have 19% of their residents insured under Medicare; and

West Virginia and Main have 21% of their residents insured under Medicare.

Kentucky; Mississippi, Missouri, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Wisconsin, Ohio, Oklahoma, and Oregon have 18% of their residents insured under Medicare.

Every state has more than 10% of their residents insured by Medicare.

The uncertainly created by the majority regarding Medicare reimbursement over the last several years has forced physicians to reevaluate continuing their medical practice and frustrated hospitals working to make budget projections over several years into the future—this is critical to business decision making.

Because of uncertainty created by Medicare physician reimbursement—physicians and hospitals have been forced to close their offices, reduce services, or merge.

When patients find they cannot keep their physician or that their options for health care are being affected—it is not because of the Affordable Care Act.

Our nation has taken a momentous step in creating a mindset that good health is a personal responsibility with the enactment of the Affordable Care Act. The health care law did not automatically enroll all citizens into the program; it was specifically designed to be an opt-in process.

There are tens of thousands of visitors each day to the website and despite problems with the initial rollout of the online health insurance registration process, millions have enrolled and experience the peace of mind that comes from having affordable, high quality health insurance that is there when you need it.

I have held many events in my District to inform and connect people with Navigators and Community Health Centers and send a strong message to my constituents encouraging them that now is the time for them to obtain affordable, accessible, and high quality health insurance for themselves and their families.

So it is puzzling that with less than 70 legislative days remaining in the Second Session of the 113th Congress, we are still seeing attempts to end the Affordable Care Act.

The fact that a bill that is critical to the provision of payments to physicians that treat Medicare patients is not safe from the politics of the moment is troubling.

I ask my colleagues to support Medicare patients and their physicians by rejecting this Rule.

Mr. BURGESS. Mr. Speaker, may I inquire as to the amount of time that remains.

The SPEAKER pro tempore. The gentleman from Texas has 15½ minutes remaining. The gentleman from Colorado has 12 minutes remaining.

Mr. BURGESS. Thank you, Mr. Speaker.

I yield myself 2 minutes.

I wanted to just list some of the exemptions from the individual mandate—those passed in a bipartisan manner by the House of Representatives and those instituted by executive action by the President:

July 17, we delayed the individual mandate until 2015. Twenty-two Democrats voted in favor of that.

March 10, 2014, delayed the individual penalty for individuals who fail to have health care coverage. Twenty-seven Democrats voted in favor.

March 11, H.R. 1814, exempted individuals with certain religious beliefs. Passed by a voice vote. Not a single dissenting vote.

March 11, we exempted volunteer firefighters and emergency responders from the individual mandate. The vote was 410–0. 186 Democrats voted in favor.

March 11, we exempted individuals who receive health coverage under TRICARE, VA, from being counted towards the employer mandate under the ACA. 183 Democrats voted in favor of that exemption.

This is not something that is exclusive to the House of Representatives.

□ 1315

Just last week, the administration quietly excused millions of people from the requirement to purchase health insurance or else pay the tax. Now all you need to do is fill out a form attesting that your plan was canceled and you believe that the plan options available in the marketplace in your area are more expensive than your canceled insurance policy. You believe that to be true. You don't have to prove it. You believe it to be true. It is self-attestation. So the President has already delayed the individual mandate for another 2 years' time.

This is a reasonable proposal, what is out there today. Yes, doctors do need relief, but we need to pay for that. I believe the proposal before the Congress today will do just that.

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

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

The Republicans are getting worse and worse on these ObamaCare votes. You would think that you would get better with practice, after 52 times they would be better at repealing ObamaCare. That is because this body, the House of Representatives, has voted to repeal ObamaCare, in whole or in part, 52 times.

Those votes started out where it was very simple. The votes were to repeal everything that was in the Affordable Care Act. That is how those votes started. Now they have gotten to the point where the Republicans want to keep the taxes from ObamaCare and get rid of the benefits. I don't think anybody wants that.

I mean, if you are talking about repealing the Affordable Care Act, you still have people that are split on that. You might have a few more people that

agree with you or a few more that agree with us, but the American people have different opinions about that. But if you offered any of them keep all the taxes and get rid of the benefits, I can't imagine anybody wants that.

I would hope that, after so much practice, the Republicans would be quite good at this. It seems to be the core competency they are developing. Almost every week, in fact, this body repeals ObamaCare, but now they are repealing it in a way that keeps all the taxes and gets rid of the benefits; so I am quite surprised that the old adage of ''practice makes perfect'' is far from true with regard to the Republican approach to this bill.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank my good friend from Colorado for yielding me this time.

Mr. Speaker, we have an opportunity in this session of Congress of getting rid of an onerous policy that has affected the delivery of health care throughout our country since 1997, the so-called sustainable growth rate. That is the reimbursement that our doctors, our physicians receive in Medicare.

We have been working hard at this for a number of years. I commend my good friend and colleague from Texas for the leadership that he has shown on this issue.

The policy behind the SGR repeal that is going to be before this Congress tomorrow has been bipartisan in support. It moves the health care system in the direction where it needs to go, with an emphasis on quality and value, as opposed to the volume of services and moving away from the so-called fee-for-service reimbursement schedule that we have right now.

I believe that if we continue to drive the health care system in that direction, we can get much better quality of care for all Americans, but at a much better price. There are a lot of tools under the Affordable Care Act that are moving us in that direction now to a more integrated, coordinated, patient-centered health care delivery system, but also a reimbursement system that finally is based on the value or the quality of care that is given and no longer the volume of services that are rendered.

In fact, just recently, the Institute of Medicine at the National Academy of Sciences came out with their analysis of the health care system, and found that we are spending close to $750 billion every year on things that don't work. They don't improve patient care. It is the overutilization that is costing us so much and, most of the time, leading to worse outcomes rather than better outcomes; yet the bill with the SGR before us would correct a lot of this with different payment models, with the emphasis on quality and value, with value incentives built into it.

The problem that we have before us tomorrow is how they are going to pay for it. It is this itch that they have to scratch over and over again called the Affordable Care Act, or so-called ObamaCare. They can't help themselves but to keep going back to that well in order to find offsets and pay-fors for other measures where there is bipartisan support and agreement on.

So we will go through this ruse yet again tomorrow. We will have this debate. The vote will probably be along partisan-lines, knowing that it is not going to advance anywhere in the Senate, nor would the President embrace this type of pay-for eliminating the individual responsibility component of the Affordable Care Act. And then we will be right back to where we are today, and that is having to sit down, talk to one another, find some reasonable offsets in order to finally repeal the SGR.

Repeal of SGR is on sale right now. The Congressional Budget Office has been very kind in their score on what repeal would look like—roughly $138 billion. Still a lot of money. In fact, where current per capita health care spending is going right now, it keeps getting better month after month. We are at the lowest per capita health care spending in the last 50 years, certainly lower than anything that we have ever seen under Medicare and Medicaid.

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

Mr. POLIS. Mr. Speaker, I yield the gentleman an additional 45 seconds.

Mr. KIND. So there are some powerful trends that are leading to a reduction in overall health care spending, things that we should study and explore and try to sustain.

But moving forward with an SGR repeal based on pay-fors that are being offered is just a dead-end road, it is not going to advance, and this is too important of a topic, too serious of an issue throughout our health care system to play these partisan, political games all over again.

So let's scratch this itch once again, and then, next week, let's come back together and see if we can, in a bipartisan fashion, find some commonsense, reasonable offsets that both parties can agree to, that the Senate can work on, that the President will sign, so we can finally get rid of this SGR onus that has been hanging over us.

Mr. BURGESS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, again I remind the body that this language, this compromise, this bipartisan, bicameral compromise has been available for all to see since February 6. During that time, what response have we gotten from the United States Senate as the responsible way to pay for this legislation? Crickets. Zero. Nothing.

We are offering this bill today with the pay-for that has been embraced by both sides in a bipartisan fashion, as I have demonstrated to you already. This would not be necessary if the Senate had provided us feedback on what their approach to a method of paying for this legislation would be, but they did not.

We know the chairman of the Senate Finance Committee, the Finance Committee in the other body, the chairwoman has now gone to a different occupation, so there is a new chairperson in the other body on the Finance Committee, but that shouldn't have been an obstacle. There was a way forward to provide the discussion, a preconference conference, if you will, because we had all agreed on the policy. This was not a mystery. This was not something that one body had done in secret. This had all been done out in the open for the past 2 years. So that pathway was available.

But for whatever reason, the other body said no deal. We don't want to deal with the House. We want to jam the House at the last minute and get them to accept something. Or better yet, let's just do another patch and get us past our Election Day. That is a very cynical approach.

Mr. Speaker, today before us on the floor we are taking a responsible approach. And guess what. Because we have taken this approach, the Senate is now talking once again about their way forward, which, ultimately, I think is a good thing.

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

Mr. POLIS. Mr. Speaker, I would like to inquire of the gentleman if he has any remaining speakers.

Mr. BURGESS. As the gentleman from Colorado knows, I am capable of filling whatever volume of time remains on my own, but, no, I don't see other speakers seeking recognition.

I would inquire of the gentleman from Colorado his status of additional speakers.

Mr. POLIS. I am prepared to close. I have 6 minutes, and I wanted to yield to the gentleman if he has remaining speakers who wanted to speak before I close.

Mr. BURGESS. I am prepared to close.

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

Mr. Speaker, sadly, with these two bills, while the Republican job-killing water grab bill and the ObamaCare tax bill are both not going to become law, they both have a genesis in a real issue, one that calls for bipartisan cooperation, one that affects the water rights of ski areas that we have offered language in an amendment that would address, the other, my colleague, Mr. KIND, addressed.

This body has a long tradition of coming together around figuring how to pay for SGR. Now, the gentleman mentioned February 6 the language was available. The language regarding the SGR fix is not what is in dispute. The way of paying for the SGR fix is what is the topic of debate between Democrats and Republicans. That language was not seen February 6. That language is not even going to be voted upon under this rule. It is contained in the rule itself.

Sadly, while we take up our time on these bills that are not going to become law, we continue to avoid action on the pressing issue of reforming our immigration system. In August, a number of us sent a letter to Speaker BOEHNER saying that he should introduce comprehensive immigration reform legislation. If he failed to do so, we would work with a diverse group of our colleagues to introduce a bill for comprehensive immigration reform in the House. There were crickets, and so my colleagues and I, in October, introduced H.R. 15, comprehensive immigration reform, a bill that has bipartisan cosponsors, over 200 sponsors from both sides of the aisle.

Immigration reform is supported by an unprecedented coalition, including business and tech companies, faith leaders from across the country, police, security specialists, but most importantly, the American people, who are sick and tired of having over 10 million people in our country illegally.

We need to restore the rule of law. We need to allow American families to succeed in our country and to live their dreams. We need to have control of our border. We need to implement mandatory workplace authentication to ensure that people who are here illegally cannot work. Every day that passes is a failure of this body to address these issues, and the solution to all of these issues, workplace authentication, securing our border, uniting families, those are all in H.R. 15.

Look, we are ready to talk. If you don't want to bring H.R. 15 to a vote, Mr. Speaker, what are your immigration bills? What is the package of bills that will address these? Because we know it will take a multifaceted approach. A wall alone on the southern border doesn't solve this issue. The day after that wall is erected, there are still 10 million people here illegally, and the fact that half the people who are here illegally don't sneak across that border, they come here legally and then they outstay their welcome and work illegally. So this requires a solution that I think this Congress is capable of. I think we can work together.

Rather than consider divisive, job-killing water grab bills, rather than consider divisive ObamaCare tax bills that the Republicans want to use ObamaCare taxes, rather than repeal them, let's come together around immigration reform. House Republicans need to reject offensive and unproductive rhetoric and show real leadership that the business community in our country is calling out for.

A few weeks ago, a Wall Street Journal op-ed criticized Republicans' failure to act on commonsense reform. The Wall Street Journal said: ''Republicans have killed immigration reform for now, but the Farm Bureau study shows that in the real economy it's still needed.''

We could increase GDP by 3.3 percent. We can raise American wages by $470 billion with immigration reform. We can create 121,000 jobs for Americans each year by bringing comprehensive immigration reform to the floor.

Over 70 percent of the American people support immigration reform. It is time to act.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up the reasonable solution that would permanently fix the SGR and is offset by capping spending on the Overseas Contingency Fund.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, unfortunately, but I regret to say unsurprisingly, the Republicans continue to play politics with Medicare, politics with water that is the lifeblood of the American West and the economic lifeblood of the counties that I represent in Eagle and Summit County. And all we have here to vote on today is, once again, an attempt to undermine the Affordable Care Act, to keep the taxes and remove the benefits, and an attempt to grab the water from those who would use it for fishing and recreation in the Mountain West.

□ 1330

I hope that we can do better.

If we can reject this $183 billion rule, I think it will send a message to the Speaker that we are ready for immigration reform.

We are ready to reach out our hand on the SGR, on the doc fix, and figure out the best way to pay for it, taking the best ideas that Republicans and Democrats have to offer, working with the gentleman from Wisconsin (Mr. KIND) and others to bend the cost curve, so that we can deliver a better quality of services to American seniors and contain costs more effectively.

I urge my colleagues to vote ''no'' and defeat the previous question and vote ''no'' on the underlying bills.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I do want to direct Members' attention to yesterday's Wall Street Journal, the article entitled ''ObamaCare's Secret Mandate Exemption,'' which goes into some detail about the self-attestation for the so-called hardship exemption, which the administration included as part of an unrelated rule last week.

As a consequence, there is an exemption from the individual mandate for the next 2 years for anyone who simply wants to go and say: I am sorry; this is too tough for me to do.

Mr. Speaker, today's rule provides for the consideration of two important bills, one dealing with critical water rights and the other addressing the serious problem in the Medicare Sustainable Growth Rate.

I certainly want to thank the gentleman from Colorado (Mr. TIPTON) on H.R. 3189, as well as thank the chairmen and the ranking members of the House Committees on Energy and Commerce and Ways and Means, as well as the Senate Finance Committee, for coming together for our Nation's doctors and seniors.

As I close, I would like to note that each committee's work is represented in H.R. 4015. H.R. 4015's base policy has the backing of the House and Senate negotiators and all three committees of jurisdiction. The original cosponsors of the bill include the chairmen and the ranking members of the full committees of jurisdiction, as well as their health subcommittees.

The bill has gained support from the GOP Doctors Caucus, as well as many physicians on the other side of the aisle. We have over 100 bipartisan cosponsors. The bill's policy has been embraced by organized medicine, with well over 700 State and national groups in support of the bill.

From primary care to specialists to surgeons to organized nursing and everyone in-between, we have support for this policy. We will not be able to accomplish this goal without substantive and immediate bipartisan dialogue seeking agreement on reforms to offset the costs associated with the policies in H.R. 4015.

While the delay of the mandate has received bipartisan support, I understand the problems that arise and the opposition that arises.

These reforms must receive the necessary majority support, not only of the House and Senate, but also be agreed to by the White House. However, no one Chamber can negotiate on such an important task in a vacuum.

This action by the House is a means of clearly demonstrating that the legislative policies contained within H.R. 4015 and S. 2000 not only have the support of the committees of jurisdiction and organized medicine, but can gain the necessary support to pass the House.

Mr. Speaker, this is clearly not the end of this conversation. It is another step—another step of many that have been taken in demonstrating to both sides of the Capitol that the committees of jurisdiction have produced significant policy that can serve as the solution to the sustainable growth rate formula that most of us have sought throughout our congressional careers.

Mr. Speaker, I do want to take a moment to thank some of the staff members who have done so much work. I really wanted to start with Dr. John O'Shea, who no longer is on the staff, but now works at the Brookings Institute.

Dr. O'Shea, a physician from New York, was hired by committee staff for the express purpose of helping develop the policy for repealing the sustainable growth rate. In addition, James Decker

on my staff assists me with rules issues.

J.P. Paluskiewicz, known affectionately by his friends as J.P., has put in extraordinary hours on this project, as have Sarah Johnson and Adrianna Simonelli on my personal staff.

On the committee staff, Clay Alspach and Robert Horne have additionally put in hours well above and beyond what ordinarily would be required of committee staff in order to see this project come to fruition.

I certainly want to thank Chairman UPTON for making this a priority during his chairmanship of the Committee on Energy and Commerce; and I thank all of the staff—staff on Ways and Means and staff on Senate Finance—who have worked on this issue and will continue to work on this issue until it is solved.

Every success we have had at every point in this process was further than we have ever come before, and that involved a lot of working weekends; but ultimately, if we use this action to springboard to full bicameral engagement on the package that can go to the White House and get signed by the President, indeed, I think all involved would agree that it would be worth it.

I look forward to passage. I look forward to continuing the process with this Chamber and the other Chamber to embrace the underlying policy and ultimately identify the offsets that can get this badly needed policy into law. I urge my colleagues to support the rule and both underlying bills.

[From the Hill, March 13, 2014]

OBAMACARE'S SECRET MANDATE EXEMPTION

ObamaCare's implementers continue to roam the battlefield and shoot their own wounded, and the latest casualty is the core of the Affordable Care Act—the individual mandate. To wit, last week the Administration quietly excused millions of people from the requirement to purchase health insurance or else pay a tax penalty.

This latest political reconstruction has received zero media notice, and the Health and Human Services Department didn't think the details were worth discussing in a conference call, press materials or fact sheet. Instead, the mandate suspension was buried in an unrelated rule that was meant to preserve some health plans that don't comply with ObamaCare benefit and redistribution mandates. Our sources only noticed the change this week.

That seven-page technical bulletin includes a paragraph and footnote that casually mention that a rule in a separate December 2013 bulletin would be extended for two more years, until 2016. Lo and behold, it turns out this second rule, which was supposed to last for only a year, allows Americans whose coverage was cancelled to opt out of the mandate altogether.

In 2013, HHS decided that ObamaCare's wave of policy terminations qualified as a ''hardship'' that entitled people to a special type of coverage designed for people under age 30 or a mandate exemption. HHS originally defined and reserved hardship exemptions for the truly down and out such as battered women, the evicted and bankrupts.

But amid the post-rollout political backlash, last week the agency created a new category: Now all you need to do is fill out a form attesting that your plan was cancelled and that you ''believe that the plan options available in the [ObamaCare] Marketplace in your area are more expensive than your cancelled health insurance policy'' or ''you consider other available policies unaffordable.''

This lax standard—no formula or hard test beyond a person's belief—at least ostensibly requires proof such as an insurer termination notice. But people can also qualify for hardships for the unspecified nonreason that ''you experienced another hardship in obtaining health insurance,'' which only requires ''documentation if possible.'' And yet another waiver is available to those who say they are merely unable to afford coverage, regardless of their prior insurance. In a word, these shifting legal benchmarks offer an exemption to everyone who conceivably wants one.

Keep in mind that the White House argued at the Supreme Court that the individual mandate to buy insurance was indispensable to the law's success, and President Obama continues to say he'd veto the bipartisan bills that would delay or repeal it. So why are ObamaCare liberals silently gutting their own creation now?

The answers are the implementation fiasco and politics. HHS revealed Tuesday that only 940,000 people signed up for an ObamaCare plan in February, bringing the total to about 4.2 million, well below the original 5.7 million projection. The predicted ''surge'' of young beneficiaries isn't materializing even as the end-of-March deadline approaches, and enrollment decelerated in February.

Meanwhile, a McKinsey & Company survey reports that a mere 27% of people joining the exchanges were previously uninsured through February. The survey also found that about half of people who shopped for a plan but did not enroll said premiums were too expensive, even though 80% of this group qualify for subsidies. Some substantial share of the people ObamaCare is supposed to help say it is a bad financial value. You might even call it a hardship.

HHS is also trying to pre-empt the inevitable political blowback from the nasty 2015 tax surprise of fining the uninsured for being uninsured, which could help reopen ObamaCare if voters elect a Republican Senate this November. Keeping its mandate waiver secret for now is an attempt get past November and in the meantime sign up as many people as possible for government-subsidized health care. Our sources in the insurance industry are worried the regulatory loophole sets a mandate non-enforcement precedent, and they're probably right. The longer it is not enforced, the less likely any President will enforce it.

The larger point is that there have been so many unilateral executive waivers and delays that ObamaCare must be unrecognizable to its drafters, to the extent they ever knew what the law contained.

TEXAS MEDICAL ASSOCIATION,
Austin, TX, March 13, 2014.

Hon. MICHAEL C. BURGESS, MD,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE BURGESS: On behalf of the 47,000-plus physician and medical student members of the Texas Medical Association, I am writing to reiterate our strong support for the work you have done to effectuate the repeal of Medicare's Sustainable Growth Rate (SGR) formula. In conjunction with your Texas colleague, Kevin Brady, you have gotten closer to solving this challenging issue than ever before. And you have done so with the support of every member of the Texas delegation, both Democratic and Republican, on the Energy & Commerce and Ways & Means Committees.

Perhaps more than anyone in Congress, you understand the frustration and anxiety that the ongoing SGR uncertainty creates for practicing physicians. You have worked tirelessly to craft a piece of legislation that not only repeals the SGR immediately, but also guarantees positive updates for physicians for five years, removes potential causes of liability against physicians, and eliminates some unnecessary bureaucratic red tape that prevents physicians from concentrating on patient care.

We especially appreciate your ongoing consultation and dialogue with TMA and Texas physicians throughout this process.

As you know well, the SGR Repeal and Medicare Provider Payment Modernization Act of 2014 has made it this far because of a bipartisan, bicameral agreement on the need to replace the SGR. We are committed to helping you finish the task.

Sincerely,

STEPHEN L. BROTHERTON, MD,
President.

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

AN AMENDMENT TO H. RES. 515 OFFERED BY MR. POLIS OF COLORADO

Strike section 2 and replace with:

Sec. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4209) to amend title XVIII of the Social Security Act to repeal the Medicare sustainable growth rate and improve Medicare payments for physicians and other professionals, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce, the chair and ranking minority member of the Committee on Ways and Means, and the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

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

Sec. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4209

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 227, nays 193, not voting 10, as follows:

[Roll No. 125]

YEAS—227

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

NAYS—193

Barber
Barrow (GA)
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Amodei
Bachmann
Bass
Courtney
Dingell
Gosar
Payne
Rangel
Rush
Wagner

□ 1404

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

Messrs. BRADY of Texas, MEEHAN, and CALVERT changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 12, 2014.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Gary J. Holland, Assistant Director of Elections, Office of the Secretary of State of Florida, indicating that, according to the preliminary returns of the Special Election held March 11, 2014, the

Honorable David W. Jolly was elected Representative to Congress for the Thirteenth Congressional District, State of Florida.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

FLORIDA DEPARTMENT OF STATE,
DIVISION OF ELECTIONS,
Tallahassee, FL, March 12, 2014.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, Washington, DC.

DEAR MS. HAAS: This is to advise you that the preliminary results reported on the night of March 11, 2014, for the special election for the Thirteenth Congressional District of Florida, reflected the following preliminary returns (which includes all early voting and Election Day results, along with all but two regular absentee ballots, provisional ballots, and the overseas absentee ballots which could be received within 10 days after the election):

David W. Jolly, REP, 89,099, 48.52%
Alex Sink, DEM, 85,642, 46.64%
Lucas Overby, LPF, 8.893, 4.84%
Michael S. Levinson, WRI, 0, 0%

The first set of unofficial results are not due to be reported until noon, March 15, 2014. It is only when the first set of unofficial results are reported that we will know if a recount actually becomes necessary. Florida law requires a recount when a candidate is defeated by ½ of a percent or less of the votes cast. To the best of our knowledge, there is no contest to this election; however, a contest may be filed at any time within 10 days after the state's Election Canvassing Commission certifies the election, which is scheduled to occur on March 26, 2014.

We will follow up with you after we receive the unofficial results and again after we have the official Certificate of Election, which we will transmit as required by law.

Sincerely,

GARY J. HOLLAND,
Assistant Director.

SWEARING IN OF THE HONORABLE DAVID W. JOLLY, OF FLORIDA, AS A MEMBER OF THE HOUSE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida, the Honorable DAVID W. JOLLY, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

The SPEAKER. Will Representative-elect JOLLY and the members of the Florida delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise his right hand.

Mr. JOLLY appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 113th Congress.

WELCOMING THE HONORABLE DAVID W. JOLLY TO THE HOUSE OF REPRESENTATIVES

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

Ms. ROS-LEHTINEN. Mr. Speaker, as dean of the Florida delegation, it is my pleasure to welcome the newest Member of this proud body, Congressman DAVID JOLLY.

Today is a significant progression for DAVID, from staffer to elected Representative; a progression beginning from his many years working for his community as a staffer for our esteemed late colleague, Congressman Bill Young.

I am confident that DAVID has returned to these Halls to ensure that Bill's legacy is carried on, one of extraordinary constituent service, as well as his unwavering respect and civility for all of us in this Chamber. I also know that DAVID will, in his own words, ''bring his own deep desire and drive to get things done for this country.''

DAVID is a fifth-generation Floridian, and is joined in the gallery today by his rightfully proud parents and family to mark this momentous occasion. I am certain that he will work hard to maintain that sentiment with each of them, as well as his constituents in Pinellas County. He is a welcomed addition to our Florida delegation familia—a fresh and strong voice for our Sunshine State and our great Nation.

Before I yield to my distinguished colleague, CORRINE BROWN, let me also say that just like you, DAVID, I, too, won a special election to fill the seat of a legend of this institution, so believe me when I say that having big shoes to fill should be seen as both an exceptional honor as well as an exceptional opportunity.

Congratulations, and welcome from all of us.

I yield to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, I want to welcome our newest Member to Congress and to the Florida delegation.

As I am sure he already knows, Congressman JOLLY has big shoes to fill. Bill Young was a true statesman who put the needs of his district and our home State above politics, and Florida is a better place to live because of it.

I always say, to whom God has given much, much is expected. When you are born, you get a birth certificate, and when you die, you are going to get a death certificate, and that little dash in between is what you have done to make this a better place.

I am looking forward to working with the Congressman to make Florida and the United States the best that it can be.

I also want to say that the St. Petersburg mayor is here, Rick Kriseman; welcome.

Congressman JOLLY, welcome to the United States House of Representatives.

EXPRESSING GRATITUDE TO SERVE AS REPRESENTATIVE FOR FLORIDA'S 13TH CONGRESSIONAL DISTRICT

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

Mr. JOLLY. Mr. Speaker, I thank you and my new colleagues. Ms. ROS-LEHTINEN and Ms. BROWN, thank you very much. To the people of Florida's 13th Congressional District, I want to say thank you today for giving me a remarkable life opportunity, the opportunity to serve.

For my new colleagues, I simply want you to know two things about this new Member. First, I believe in this institution, the people's House. I believe in all that is good and right about this institution, the opportunity that this institution has to make our Nation better, to direct our Nation down the right path, to solve problems for all of us, and to secure for every American the sacred blessings of liberty.

The second thing I would like you to know about this new Congressman is I believe in civility. I had a wonderful opportunity to work for a man with whom you each served, and he left an indelible legacy in this House—one of civility. We are all elected to fight for our communities and to fight for our constituents. We are elected to fight for our convictions, for the causes we believe in, but it is a fight for the future of our country; it is not a fight against each other, and I know that.

We have had a nationally watched race. That race is over, and now it is time for me as a Member of Congress of this body to join with each of you to follow in the footsteps you have made in serving your community as I begin to serve mine.

You have my commitment today to work with each and every one of you. I look forward to it. I look forward to working with each and every one of you, and I would like to say thank you one more time to my friends and neighbors and my community, Florida's 13th Congressional District, that has given me this honor today. God bless each and every one of you.

Mr. Speaker, I thank you for this moment.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from

Florida, the whole number of the House is 432.

PROVIDING FOR CONSIDERATION OF H.R. 3189, WATER RIGHTS PROTECTION ACT; PROVIDING FOR CONSIDERATION OF H.R. 4015, SGR REPEAL AND MEDICARE PROVIDER PAYMENT MODERNIZATION ACT OF 2014; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MARCH 17, 2014, THROUGH MARCH 21, 2014

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The question is on adoption of House Resolution 515.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 228, noes 184, not voting 19, as follows:

[Roll No. 126]

AYES—228

Aderholt
Amash
Bachus
Barber
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
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Griffin (AR)
Griffith (VA)
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Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
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Poe (TX)
Pompeo
Posey
Price (GA)
Reed
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Rice (SC)
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Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
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Smith (MO)
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Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—184

Barrow (GA)
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
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Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Welch
Wilson (FL)

NOT VOTING—19

Amodei
Bachmann
Bass
Castor (FL)
DeFazio
Dingell
Duffy
Gosar
Kind
Labrador
Payne
Rangel
Rush
Simpson
Swalwell (CA)
Van Hollen
Wagner
Waxman
Yarmuth

□ 1423

Ms. SINEMA changed her vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WATER RIGHTS PROTECTION ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill H.R. 3189.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 515 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. 3189.

The Chair appoints the gentlewoman from North Carolina (Ms. FOXX) to preside over the Committee of the Whole.

□ 1425

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. 3189) to prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture, with Ms. FOXX 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 Washington (Mr. HASTINGS) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Madam Chairman, I yield myself such time as I may consume.

President Obama has made no secret of the fact that he is willing to act unilaterally to impose new laws and regulations on the American people, declaring that he has ''a pen and a phone.''

Over the last 5 years, there have been numerous examples of what has become an Imperial Presidency. Under the administration, the reach of the Federal Government has extended into nearly every sector of our economy and ensnarled it in new red tape and regulations.

An egregious example of this is the Federal Government's concerted effort to take water away from individuals and businesses. Water is the lifeblood of communities and essential for a strong economy. Cities, ranchers, farmers, businesses, along with the jobs

they support, all depend on a stable supply of water to survive.

For over a century, there have been established laws upholding a State's right to manage its water and its water laws, but now, this administration is threatening to undermine those laws and seeks to take away private property rights—or private water rights governed under State laws.

Madam Chairman, that is why we are here today, to consider H.R. 3189, the Water Rights Protection Act. This bipartisan bill would protect private property rights from Federal overreach that threatens to take water supplies away from water users, such as ski areas, ranchers, cities, towns, and local conservation efforts.

This bill is responding to a very real threat as the Obama administration has sought to extort water from individuals and businesses through the permitting process.

Now, how is this done, Madam Chairman? Federal agencies are threatening to withhold permits needed to operate on Federal lands, unless private water rights are turned over to the Federal Government.

Put more simply, the Federal Government is holding necessary permits hostage unless water rights are relinquished; and they are demanding that water rights be signed over without payment, which of course is a violation of the Constitution's guarantee of just compensation.

Unfortunately, these businesses that are affected need both the permits and the water in order to operate, so what the Federal Government is doing is forcing them into an impossible situation where either choice puts them in danger of losing their livelihood or their businesses.

□ 1430

During today's debate, we will hear specific examples of businesses and families, including ski resorts and ranchers, who have experienced this heavy-handed tactic of the Federal Government's.

It is important to be clear about the risk posed by the Federal Government's action. This is not simply a threat to ski resorts and to ski areas located on Federal land as, I am sure, some will argue on the floor here today. The known problem is much greater. We have heard testimony in our committee to that fact, and the threat is not limited to one part of the country.

If a Federal agency can demand that a ski resort in Vail or that a rancher in Utah has to hand over his water to get a Federal permit, then a Federal agency can certainly do the same thing in other States—Ohio, Florida, West Virginia. Water may be more plentiful in these regions of the country than in the arid West, but the Federal Government's appetite has no geographical limits when it comes to expanding its regulatory control and its disrespect for private property and the livelihoods of American citizens. This is a threat being felt first by the West, but the risk is real, and it exists for the entire country.

Madam Chairman, regardless of where the Federal Government seeks to take water and from whom it is trying to take it, it is simply wrong, and it must be stopped. That is why H.R. 3189 is necessary, and it is why the bill is endorsed by numerous national and regional groups, including the U.S. Chamber of Commerce, the National Ski Areas Association, the American Farm Bureau Federation, the National Cattlemen's Association, the Natural Water Resources Association, and others.

Now, in the course of the debate, there will be claims and assertions made today that this bill is overly broad and that it will have a whole range of unintended consequences. Madam Chairman, I certainly don't blame those who support the Federal takings of private water rights from wanting to change the subject, but this bill is very focused. It has only one consequence, and that consequence is absolutely intended. It stops the Federal Government from taking the water of American citizens without paying for it. It does nothing else.

In fact, this bill carefully states that this prohibition will not affect irrigation water contracts, FERC licensing, endangered species recovery, national parks, or any other legal authorities. Important environmental restoration, wildlife protection and conservation work that has been occurring for years in a positive, cooperative manner—and that is whether it is in Puget Sound, which is in my State, in the Chesapeake Bay, nearby here, or in the Florida Everglades—will all continue, and all are protected. Such efforts will not be changed by this legislation.

Madam Chairman, I want to thank and recognize the sponsor of this legislation, our colleague from Colorado (Mr. TIPTON), for all of his hard work in advancing this important, commonsense, bipartisan legislation.

It is time for the legislative branch to exert itself on behalf of the American people and rein in the imperial overreach of the executive branch and this administration. No law gives Federal agencies the authority to take private property rights as the administration is seeking to do. In fact, the Constitution prohibits such takings. It is time to put an end to such tactics, so I urge my colleagues to support this legislation and send a strong signal to this administration—to leave private property rights alone.

I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Chair, I yield myself such time as I may consume.

The legislation we have to consider today is flawed on many levels—it is flawed on process; it is flawed on policy; and it is flawed in claiming that it protects States' water rights. H.R. 3189 does not solve the problem—it creates more problems—because it is so broadly written and has no chance of being enacted into law.

The majority introduced the Water Rights Protection Act as a way to protect private property rights. It is not about protecting private property rights. It is not about protecting States' water rights. It goes in the opposite direction, that of creating a new Federal definition of a ''water right'' when we have not had a hearing on that particular point.

Water rights have, for more than four centuries in American law, been defined as a matter of State law. If the majority is really concerned about Federal overreach, creating a sweeping new Federal definition of a ''water right'' without even a single hearing is not the best choice. H.R. 3189 only had a hearing, and it was held during the government shutdown, during the sequestration. As a result, the agencies affected were not able to provide expert analysis because they were not able to be at the hearing to talk to the bill's impacts. The bill's incomplete legislative record was worsened by the committee markup, whereby a clumsily drafted savings clause was added. This only added to the confusion as to the purpose of the bill, negating the purpose of the legislation, which I understand now makes it a broader bill in addressing some of the issues, as have been stated by my colleague, that it is overreach by the Obama administration, thus negating the water rights.

Today, the manager's amendment, with four additional savings clauses, continues to show the magnitude of the unintended negative consequences that H.R. 3189 would have on various activities that require a Federal permit.

There is some agreement on this bill. We both agree that the starting point of this legislation involves a conflict between the Forest Service and the ski resorts, which was the focus of the hearing. Unfortunately, the Forest Service issued a declaration, a release, that mandated certain things that are objectionable to my colleagues, and they are now having to set out a new policy directive that is under consideration by the OMB. We have not waited for the results of the OMB. We can't tell until after the comment period is given to the general public, and then it can be published.

There are currently 121 ski resorts located in 13 States that are operating on Federal Forest Service land. That is public land that belongs to the general public. It doesn't belong to the ski resorts, and it doesn't belong to this body. It belongs to the people. Through long-term special use permits, these resort companies are operating on public—taxpayer—land, belonging to the American people, for private profit. In many cases, these companies purchase water rights in order to operate the resort.

The Forest Service is currently struggling with what happens with the permitting of sales of water rights.

How could the agency find a new operator if there is no water to go with that land and if it is not available, if there is no water for the land? The Forest Service issued a directive in 2011 requiring that, as a condition of these special use permits, the applicant must place its water rights in the name of the United States. Who is the United States if it isn't the American taxpayer?

To be clear, this was not because President Obama is mad with power and wants to own water rights, as some have alluded to. Rather, it was so that the Forest Service could include those water rights as part of the package when seeking a new operator and issuing a new contract for an existing ski area on public—taxpayer—land.

The court validated that directive on procedural grounds, and the Forest Service is currently working on a new directive, as they have stated in the letter to this committee. One, they have said, will not involve permit applicants transferring their water rights to the Federal Government. It would be appropriate to consider legislation that really pinpoints and clarifies that ski area permits may not be conditioned on the transfer of water rights to the government. New legislation devising a real solution to this problem would not only be welcomed, it would be a necessity. This is why we support the Polis amendment, which addresses the narrow conflict between the ski resorts and the Forest Service, which is the real conflict.

This bill would prevent the entire Department of Agriculture and the entire Department of the Interior from conditioning any use of public property on the impairment of any water right. This bill goes well beyond ski resorts and well beyond the Forest Service to fundamentally alter public—taxpayer—land management, including the management of all units of the National Park System.

If this bill were to become law, grazing permits could no longer require that some water be left in the streams for the cattle, and bypass flows would be impacted. Any and all uses of public lands which touch on water would be affected. Without the ability to condition permits or authorizations on reasonable protections for water-dependent resources, such as habitat, timber, or recreation, agencies will not be able to comply with the conservation and multiple-use mandates required currently by law. The bill is so broad and so irresponsible that, if it were to be enacted, it would mean the very end of the public lands activities it is supposed to protect, because those activities could no longer be managed responsibly.

Congress should get out of the way, respect States' rights, and allow the Forest Service to issue its new directive, which is not the taking of anyone's property. Rather, it is placing responsible conditions on a permit allowing private companies to profit from their use of public—taxpayer—lands.

Finally, Madam Chair and Members, it is unfortunate that we are dedicating time and energy to this aspect of water management when our constituents and our communities are facing so many more important water challenges. Most of the U.S., especially the Western U.S., is suffering from drought. While 53 percent is facing moderate to exceptional drought, the entire State of California, my State, is in drought. We certainly have more fish to fry than talking about a bill that is limited to ski resorts and the Forest Service.

I do urge my colleagues to worry less about these resorts and more about the drought that is ravaging our West, the wildfires that are threatening our lives and property, and climate change, which, if we continue to fail to act or accept, makes snow skiing a thing of the past. Some would say that this goes far beyond ski resort issues and affects nationwide entities. I say let's deal with the ski issue and the Forest Service separately, and let's support the Polis amendment.

Madam Chair, I submit for the RECORD a letter dated February 11, 2014, from the National Ski Areas Association. In the very first sentence, they are including:

> I am writing on behalf of the ski industry to express the reasons ski areas strongly support passage of the bipartisan Water Rights Protection Act, H.R. 3189/S. 1630, and to advocate changes to the bill to narrow its scope.

I oppose the legislation. I urge my colleagues to vote against this bill and to support the Polis amendment.

I reserve the balance of my time.

NATIONAL SKI AREAS ASSOCIATION,
February 11, 2014.

Re: Support for Water Rights Protection Act

Rep. SCOTT TIPTON,
Cannon HOB, Washington, DC.
Rep. JARED POLIS,
Longworth House Office Building, Washington, DC.
Sen. JOHN BARRASSO,
Dirksen Senate Office Building, Washington, DC.
Sen. MARK UDALL,
Hart Office Building Suite, Washington, DC.

GENTLEMEN: I am writing on behalf of the ski industry to express the reasons ski areas strongly support passage of the bipartisan Water Rights Protection Act, H.R. 3189/S. 1630, and to advocate changes to the bill to narrow its scope. At the outset, the ski industry would like to express our deep appreciation of your effort to protect ski area water rights from federal encroachment over the past couple of years. Your leadership on protecting water rights and your commitment to working in a bipartisan fashion to solve this problem on behalf of ski areas and other permittees on federal land have had very positive and real effects to date. While ski areas have enjoyed a long and successful partnership with the Forest Service spanning almost eight decades, Forest Service water policy is an issue on which we simply do not agree. We have invested too much in water rights to simply hand them over to the federal government.

As you are well aware, the Water Rights Protection Act would stop the federal government from illegally seizing water rights from private parties that develop them, such as ski areas, in violation of State water law and 5th Amendment property rights protections. The intent of the bill is narrow—to protect valuable assets of ski areas and other permittees that use federal land from seizure without compensation by the federal government. Essentially everyone agrees on the need for this protection, given recent (and past) Forest Service policy that demands transfer of valuable water rights to the U.S. without compensation. This policy threatened to rock the foundation of over a hundred years' worth of water law in the West, and again, thanks to your intervention, beneficial changes are expected in the future.

The intention of the Water Rights Protection Act is not to impact stream health or aquatic species in any way. Some conservation groups contend that HR 3189 has a broader effect than simply protecting water rights, and in fact would hinder federal efforts to protect stream health and fish. Ski areas and other stakeholders strongly disagree with this interpretation of the bill and would never support a bill that had this result. In fact, a ''savings clause'' was included in the bill to explicitly state that the measure had no other impacts than to protect permittees' water rights from forced transfers. More importantly, the bill does not alter in any way the minimum stream flow protections that are set and enforced by the states on virtually every river and stream. Ski areas support and abide by these minimum stream flow requirements and would never take action to undermine them.

However, to make it abundantly clear that ski areas have a narrow and pointed agenda with respect to this legislation and that we are committed to maintaining stream and aquatic species health, we are now advocating changes to the bill to narrow its scope even further. These changes include narrowing the scope of the bill to apply just to the U.S. Forest Service, and clarifying that the bill prohibits forced transfers of ownership of water rights to the United States by inserting the term ''title'' into the bill. We offer these changes to demonstrate emphatically our unwavering commitment to maintain stream health and aquatic species, and our narrow focus of simply protecting our valuable water rights assets. These changes are directed at solving the concrete problem at hand, which is overreaching policy by the Forest Service that requires a forced transfer of ownership of water rights from permittees to the United States. The bill will continue to benefit all permittees on Forest Service lands, not just ski areas.

The release of a new water policy is expected from the Forest Service sometime in 2014. Ski areas welcome this new policy change, which we understand will not require a forced transfer of ownership of water rights. The release of this policy will not change the need for federal legislation however. First, the new policy is expected to apply prospectively, such that existing water rights subject to past Forest Service water clauses could continue to be in jeopardy of a taking by the Forest Service. Ski areas are proposing an amendment to the bill to protect against the implementation of such clauses beginning with the effective date of this bill. Ski areas have experienced four changes in Forest Service water policy in the last ten years. Only Congress can help stop the pendulum from swinging and provide ski areas the kind of stability they need to grow and succeed in the future.

After prevailing on our challenge of the Forest Service's water rights takings policy in federal court in 2012, ski areas offered an alternative approach for the Forest Service to consider that would not involve forced transfers of water rights. We offered this alternative in the spirit of partnership, and as

a way for the Forest Service to work cooperatively with ski areas to support their viability, and the viability of mountain communities, over the long term. The alternative offered by ski areas was to require resorts to provide successors in interest an option to purchase water rights at fair market value upon sale of a ski area. We continue to support this approach as a viable alternative that meets the needs of the agency, provides ski areas needed flexibility, and respects state water law.

Ski areas are great stewards of water resources. It is important for everyone to remember that only a small portion of water that is used for snowmaking is consumed. Most of the water diverted from streams for snowmaking returns to the watershed. Although it varies from region to region, studies show that approximately 80 percent of the water used for snowmaking returns to the watershed. Since the majority of water used for snowmaking is water purchased by a ski area, brought onsite through diversions, stored on-slope, and typically released more slowly back into the watershed with the seasonal melting of the winter snowpack, snowmaking typically benefits the watershed in which it is taking place, as well as downstream users, and can help counteract the harmful effects of drought. In addition to using a whole array of conservation measures, many resorts impound or store water in reservoirs for use during low flow times of the year without affecting fish or aquatic habitat. The ability to control our water assets and investments—which will be the outcome of passage of the Water Rights Protection Act—will enable us to continue this stewardship in the future. It will also allow us to continue to provide a high quality recreation opportunity for millions of people on the National Forests.

In closing, we thank you for your work to date on this issue, and we look forward to continuing to work together in cooperation to ensure the bill's passage.

Sincerely,

MICHAEL BERRY,
President.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 3 minutes to the gentleman from Colorado (Mr. TIPTON), the sponsor of this legislation.

Mr. TIPTON. Madam Chair, after listening to our Democrat colleague's statement, probably the best thing that we can do to be able to allay their fears is for them to read the bill. It actually protects private property rights, and let me fill in the balance of the story from the letter that you just cited:

The ski areas are saying that they strongly support the passage of the bipartisan Water Rights Act, H.R. 3189.

I would like to submit for the RECORD letters from over 40 different organizations—farmers, ranchers, ski areas, municipalities—that are supporting this legislation to be able to protect private property rights in the United States.

Madam Chair, the fear in Washington is palpable. Yesterday, we heard from the White House of the threat of a veto, a veto against a piece of legislation which is just codifying what is protected in the Constitution—private property rights in this country. There is going to be a headline in tomorrow's paper. With the affirmative passage of this legislation, it will read that the House of Representatives stood with the American people—stood with private property rights—to stop a job-killing Federal water grab. That is what this legislation is about.

A very clear choice exists today. You can choose to stand with farmers, with ranchers, with municipalities, with our ski areas to be able to protect the Constitution regarding the Fifth Amendment for just compensation, or you can embrace the heavy hand of government and support a job-killing Federal water grab. That is the clear choice that we face today.

This bill is narrow in scope. In fact, the manager's amendment that I will be putting forward is actually going to make sure that many of the concerns that we have just heard expressed are reasserted in that legislation to be able to protect the Endangered Species Act, to make sure that authorities are not currently under law or exceeded, and to make sure that our tribes are actually protected from the heavy hand of government being used as a tool for another Federal water grab.

□ 1445

This is a commonsense piece of legislation—legislation that is designed to stand for the very principle that we have in this country of private property rights.

Protect the water of the West. Protect that private property right. This is simple, 2-page legislation.

Madam Chair, this is legislation which serves the interests of this country, serves the interests of the West, and I ask for its adoption.

COLORADO CATTLEMEN'S ASSOCIATION
Arvada, CO, March 12, 2014.

Hon. JOHN BOEHNER,
Speaker, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: The Colorado Cattlemen's Association (CCA) and Colorado Public Lands Council strongly support the Water Rights Protection Act (WRPA), (H.R. 3189). The CCA and PLC represent Colorado's public and private lands ranching industries through a grassroots network of affiliates and individual members. Many of our members hold private water rights on federal lands, which serve as an integral part of their operations; thus, these water rights keep our members in business and rural communities thriving. However, landowners face an unprecedented threat to the future of their water rights on lands managed by the USFS and potentially other federal agencies.

H.R. 3189, introduced by Congressmen Scott Tipton (R-Colo.), Mark Amodei (R–Nev.), Rob Bishop (R–Utah), Tom McClintock (R–Calif.), and Jared Polis (D–Colo.) disallows the USFS and the Bureau of Land Management from seizing water rights without just compensation. An issue that arose in a USFS directive applicable to ski areas was seen by industry as an issue that could threaten all water users, including ranchers, as they depend on water rights on public land (and private) to keep their businesses viable. It is important that H.R. 3189 pass without limitation to specific industries—ensuring ranchers have access to the water rights they own, maintain and have developed.

We support an amendment by Representative Tipton that would make revisions to the legislation which would clarify the intent of the bill. We also understand that several additional amendments have been submitted that would too narrowly focus the legislation so as to not protect livestock producers, and one amendment in particular that would cause the legislation to become applicable only to ski operations. CCA and PLC strongly oppose any amendment with exclusive language that will jeopardize the efficacy of the bill for our constituency, ranchers. Our members face the same threats as ski companies do—perhaps, with more at stake, as they are individuals and families depending on these water rights for their livelihood. It is important to include all industries that may be impacted in the legislation, to keep our rural communities thriving. Rep. Tipton's bill accomplishes the purpose of protecting all water right holders, including ranchers.

There is no justification to include an amendment that will only protect one type of water use, and we strongly urge all members of the House to vote against any such amendment.

We thank you for your attention to this crucial issue, and for supporting America's ranchers as they continue to be an essential part of rural communities and stewards of our public lands.

Sincerely,

GENE MANUELLO,
President,
Colorado Cattlemen's Association.
TIM CANTERBURY,
Chair,
Colorado Public Lands Council.

EAGLE RIVER WATER & SANITATION DISTRICT, UPPER EAGLE REGIONAL WATER AUTHORITY,
Vail, CO, February 27, 2014.

Rep. SCOTT TIPTON,
Washington, DC.
Rep. JARED POLIS,
Washington, DC.
Senator MICHAEL BENNET,
Washington, DC.
Senator MARK UDALL,
Washington, DC.

DEAR REPRESENTATIVES POLIS AND TIPTON AND SENATORS BENNET AND UDALL: Please be advised that we are in receipt of the February 10, 2014 letter to you on the letterhead of the Water Quality/Quantity Committee of the Northwest Colorado Council of Governments (NWCCOG) regarding H.R. 3189, the Water Rights Protection Act, and its companion bill, S–1630. That letter gives the improper impression that all of the listed members, associate members, and participating water and sanitation districts support the position taken in that letter. They do not.

As the largest municipal water provider within NWCCOG, serving the over 60,000 customers from Vail to Wolcott, we strongly support H.R. 3189 and S. 1630, and do not agree with the amendments proposed by the NVVCCOG letter. In particular, the Forest Service does not have the legal authority to impose bypass flows and a Federal Water Rights Task Force has so determined, and any amendment that they do would be a major expansion of federal authority over state granted water rights. Federal bypass requirements are really just a taking of water rights by another name and on a smaller scale. It is hard to imagine that the members of NWCCOG support the federalization and taking of any of the property of their residents and area businesses regardless of the name the federal government gives to its taking. Moreover, bypass flows should not be thought of as an environmental solution to low stream flows as they

are not water rights that can be administered by a water commissioner and shepherded downstream. Rather, senior water rights from public lands that are required to be bypassed can simply be taken up by a junior water right holder just past the Forest Service boundary. This is one of the main reasons why the Colorado Water Conservation Board, which is the State agency with exclusive authority to obtain in-stream flows, has consistently opposed federal attempts to impose bypass flows.

We have enclosed a copy of a piece prepared by The Federal Water Rights Task Force entitled ''The Colorado 'Bypass Flow' Controversy'' for your review. It is an excellent review of the limitations on existing rights of the Forest Service to impose bypass flows and practical reasons why imposing such flows is not a good idea. (The link for the entire report is http://www.fs.fed.us/land/water/.)

We believe that many of the largest water users within NWCCOG agree with our position.

Very truly yours,

FREDERICK P. SACKBAUER, IV,
Eagle River Water & Sanitation District, Chairman of the Board.

GEORGE GREGORY,
Upper Eagle Regional Water Authority, Chairman of the Board.

COLORADO RIVER DISTRICT
Glenwood Springs, CO, October 9, 2013.

Re H.R. 3189.

Hon. SCOTT TIPTON,
Washington, DC.

DEAR CONGRESSMAN TIPTON: The Colorado River Water Conservation District sincerely appreciates your leadership in Colorado and Western water matters. H.R.3189 is just one more example. The Colorado River District will recommend that its Board support H.R. 3189 with the consensus amendments developed by your staff, the national ski areas and the River District.

With the clarifying amendments, H.R.3189 provides responsible side boards to agency actions when permitting allowable activities and uses on federal lands. It prohibits the transfer of ownership of privately held water rights in exchange for required permits. We are also pleased that your staff will prepare a sponsor's statement to confirm that the bill will not change existing law that allows reasonable permit conditions that can protect both the natural environment and present and future downstream water users dependent on the forest for critical water supplies.

I want to express my genuine appreciation for your and your staff's willingness to work with us on language that accomplishes our mutual goals of protecting private property interests in western water while maintaining the authority to condition permits to ensure responsible exercise of those rights.

Sincerely,

R. ERIC KUHN,
General Manager.

COLORADO RIVER DISTRICT,
Glenwood Springs, CO, November 12, 2013.

Re H.R. 3189, Markup

Hon. SCOTT TIPTON
Washington, DC.

DEAR CONGRESSMAN: As we've discussed previously, the River District board appreciates your leadership on Colorado water matters including your recent introduction of H.R. 3189. We deeply appreciate your and your staff's continuing engagement with us to refine and clarify the language to address the critical issues of water rights' equity and ownership while avoiding unintended consequences or inviting litigation.

Adam Eckman from the subcommittee staff shared final draft language in preparation for markup. I believe the new and amended language is an improvement and consistent with the River District Board's existing support for the bill.

The River District looks forward to continuing to work with you in support of this important legislation. Thank you and best wishes for a successful markup.

Sincerely,

R. ERIC KUHN,
General Manager.

CENTER CONSERVATION DISTRICT,
Center, CO, October 25, 2013.

Hon. SCOTT TIPTON,
Cannon House Office Building, Washington, DC.

Hon. JARED POLIS,
Longworth House Office Building, Washington, DC.

DEAR REPS. TIPTON AND POLIS: The Center Conservation District commends you for your introduction of H.R. 3189, the Water Rights Protection Act and endorses the Tipton-Polis bill, and will work closely with you to broaden bipartisan support for this measure and to gain its swift consideration and approval by the House of Representatives.

It is our understanding that the H.R. 3189 grants no new rights to any party, nor does it in any way infringe on existing rights of individuals, states or the federal government. This legislation simply reaffirms what has been existing law for generations and which is expressed in numerous places in federal law, including the Mining Act of 1866; the 1897 Organic Act establishing the U.S. Forest Service; the Taylor Grazing Act; and the Federal Land Policy and Management Act of 1976.

There is no provision in federal law authorizing or permitting the Forest Service or the Bureau of Land Management to compel owners of lawfully acquired water rights to surrender those rights or to acquire them in the name of the United States. Thus, H.R. 3189 does nothing more than assure holders of BLM or Forest Service permits that their lawfully acquired rights will not be abridged and that federal agencies may not unlawfully use the permit process to acquire rights they do not currently possess.

We look forward to working with you on this important legislation and again commend you for your leadership in this important area.

Sincerely,

DANNY NEUFELD,
President.

NWRA,
Washington, DC, March 10, 2014.

Hon. DOC HASTINGS,
Chairman, House Committee on Natural Resources, House of Representatives, Washington, DC.

DEAR CHAIRMAN HASTINGS, On behalf of the Board of Directors and the members of the National Water Resources Association (NWRA), I write in support of H.R. 3189, the Water Rights Protection Act. The NWRA is a nonprofit federation made up of agricultural and municipal water providers, state associations, and individuals dedicated to the conservation, enhancement and efficient management of our nation's most important natural resource, water. Our members provide clean water to millions of individuals, families, agricultural producers and other businesses throughout the western United States.

Collectively, NWRA members have spent billions of dollars investing in the development of state issued water rights and the associated infrastructure in order to provide a safe and reliable water supply to their customers. Their ability to continue meeting the nation's growing demand for clean water is dependent upon access to this vital resource. The Water Rights Protection Act would protect NWRA members' water rights and those who depend on the water they deliver by preventing federal agencies from making a permit, permit renewal or other action conditional upon surrendering a water right. The protection of water rights is of the utmost importance to our members. Water rights constitute a valuable property right and as such are valuable assets that are often irreplaceable.

For more than eighty years NWRA members have helped finance, maintain and manage some of the most valuable and iconic water systems in the world and have turned virtual deserts into some of the most productive agricultural land on the planet. To accomplish this irrigators have worked collaboratively with federal agency partners at the Bureau of Reclamation and Army Corps of Engineers. That collaborative partnership, formed through contracts and other agreements, is protected by this bill. Our members are gravely concerned by recent efforts by the U.S. Forest Service (USFS) and the Bureau of Land Management (BLM) that have made agency actions contingent upon the relinquishment or modification of a water right. These efforts go counter to the principle foundations of western water law, fly in the face of state law and set a dangerous precedent. Our members count on federal infrastructure to deliver both project and non-project water. Non-project water is privately owned; it has not been appropriated, acquired by, or apportioned to, the United States. In addition, many of our members deliver water through facilities that cross USFS or BLM land. The creation of a process through which water deliveries could be made contingent on the modification, relinquishment or surrender of a water right is unacceptable. Moreover, allowing such a precedent would cause this assault on state water rights to spread in various forms to other agencies within the Agriculture and Interior Departments. Congress, needs to provide the respective Secretaries with clear guidance on this subject, H.R. 3189 provides this guidance.

The USFS and BLM efforts to curtail water rights have been focused on western states, but the implementation of this kind of policy would have ramifications throughout the nation. According to the United States Geological Survey, nearly seventy five percent of the irrigated agriculture in the U.S. is found in the seventeen western states. These states on average receive less than twenty inches of rain each year, making the reliable delivery of irrigation water vital. In order to protect our members' water rights, assure the continued delivery of clean water to millions of people and protect the integrity of Western water law the NWRA supports the Water Rights Protection Act.

On behalf of NWRA's members I thank you for your attention to the critical water supply issues facing our nation, and for supporting our members as they continue to be stewards of our nation's water supply and a critical part of the economy.

Sincerely,

ROBERT W. JOHNSON,
Executive Vice President.

Mrs. NAPOLITANO. Madam Chair, there is opposition to this bill from 90 conservation, recreation, and sportsmen groups, including the Grand County Board of Commissioners, Summit County Board of Commissioners, Eagle County Board of Commissioners, besides the other agencies.

LETTERS IN SUPPORT OF H.R. 3189

Hinsdale County; Rio Grande Watershed Association of Conservation Districts;

Conejos County Board of County Commissioners; Colorado River District; National Cattlemen's Beef Association; National Association of Conservation Districts; National Ski Areas Association; National Water Resources Associations; Western Governors Association*

*WGA has taken a neutral stance on H.R. 3189.

LETTERS IN OPPOSITION TO H.R. 3189

U.S. Department of Interior; U.S. Department of Agriculture Forest Service; Grand County Board of Commissioners; Summit County Board of Commissioners; Eagle County Board of Commissioners.

90 CONSERVATION, RECREATION, AND SPORTSMAN'S GROUPS INCLUDING:

California Environmental Groups; Alabama Rivers Alliance; American Bird Conservancy; American Rivers; American Whitewater; Appalachian Mountain Club; Atlantic Salmon Federation; California Sportfishing Protection Alliance; CalTrout; Chesapeake Bay Foundation; Clean Water Action; Connecticut River Watershed Council; Deerfield River Watershed Association; Defenders of Wildlife; Earthjustice; Foothill Conservancy; Friends of Butte Creek; Friends of Merrymeeting Bay; Friends of the Rivers of Virginia; Friends of the White Salmon River; Gunpowder Riverkeeper; Hydropower Reform Coalition; Idaho Rivers United; Lower Mississippi River Foundation; Maine Rivers; National Audubon Society; National Parks Conservation Association; Native Fish Society; Natural Resources Defense Council; Northwest Resource Information Center; Rivers Alliance of Connecticut; Shenandoah Riverkeeper; Sierra Club; Stewards of the Lower Susquehanna, Inc.; Tennessee Clean Water Network; Upstate Forever; Utah Rivers Council; WaterWatch of Oregon; Yadkin Riverkeeper Inc.

I yield such time as he may consume to my colleague from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Well, here we are again. We had a real problem. The Forest Service did overreach and trigger this issue.

Later on, we will have an amendment offered by Mr. POLIS from Colorado—whose ski areas originally brought this issue to him and who now opposes this bill—to narrow the scope of this bill down to assure that the Forest Service doesn't re-propose the rule which they have withdrawn, which would have caused the problem.

The rule was offered. There was litigation. A new rule was begun. The Forest Service withdrew the rule. There is no rule pending. But we are going to pass legislation that affects all water rights in the Western United States because of a problem that doesn't currently exist.

This is fairly extraordinary. Because we held a hearing on this when the government was shut down, not very many people knew about or got to participate in the hearing. I was there. I read the bill. That is a bad habit I have. I pointed out that the bill was so broadly written that it would impact any and all Federal actions that have to do with water in the United States of America. That goes way beyond ski areas and water rights. It goes way beyond farmers or individual property rights. It has untold consequences.

As a consequence, Republicans at the time denied it. But now this bill has six savings clauses. What does that mean?

Well, the bill was so broadly and poorly drafted to begin with, they now are carving out six exemptions to say, Oh, we didn't mean to say we would take away tribes' water rights; we didn't mean to say that we couldn't have any control of Bureau of Reclamation projects and deal with flood control. Oh, we didn't mean this or that. So there are six savings clauses in this bill because it is so poorly and broadly drafted and has so many unfathomable and unintended effects. Then there is the sixth savings clause which says this bill does nothing.

Now how could that be? Well, because we are here about headlines. We are here about a headline that will be meaningless by some gullible reporter somewhere who actually believes what they are saying on that side of the aisle.

Here is the final savings clause of this unbelievably poorly drafted bill with unbelievable, unintended consequences:

> Nothing in this act limits or expands any existing authority of the Secretaries . . .

That is, Interior and Agriculture.

> . . . to condition any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on Federal lands subject to the respective jurisdictions.

So in the body of the bill they create a whole bunch of problems by threatening concessionaires in parks, issues relating to the Columbia River in Washington and Oregon, and a whole host of projects that relate to use of the water in the West. It is a very sensitive issue, the use of the water in the West. Then they carve out five particular exceptions, which are really hot button issues. Then they have this uber exception which says this bill doesn't do anything.

So what does the bill do? Well, that is the whatever thousand-dollar question here today. It may do something unbelievably destructive to private property rights.

On that side of the aisle we hear about this all the time. A couple of weeks ago, they passed another show bill pretending to deal with the drought in California by preempting 100 years of water law in the State of California. The Federal Government preempting it.

Now they are going to fight for water rights in the West—or, at least that is the headline they hope they get out of this. But that is not what they are doing because for the first time this bill has a Federal definition in statute of water right, which would seem to preempt or contradict the States. But it has sort of got a savings clause. So it says we are creating a new Federal water right, but it really doesn't mean anything because we are not affecting the States. And oh, by the way, we have got a clause at the end saying we are not doing anything at all anyway.

So why are we here? We are here because there was a narrow issue which we could have, in a bipartisan way, agreed to deal with. It could have been what is called a suspension bill. We probably wouldn't have even had a vote on it on the floor of the House—one of those routine bills we pass generally on Mondays or Tuesdays, travel days, requiring a two-thirds vote because they are noncontroversial.

It could have been done that way. But no, that wouldn't have got a headline. It would have solved a problem—a problem that used to exist and doesn't existing anymore and might exist in the future. It would have solved that problem if it ever existed again, if the Forest Service proposed the rule again, which they aren't going to. But let's just say some future administration chose to do that. We could have preempted them that way.

But no, we couldn't just do that because how could you come here and say you are fighting for cattlemen and you are fighting for agriculture and you are fighting for the little guy and private property rights and all those wonderful buzz words around here, when you are not really doing that, but get an undeserved headline out of it if you find a gullible reporter.

That is why we are here today. It is kind of a waste of time, to tell the truth. If you want to fix the bill and potentially fix a future problem if they do go after the ski area water rights again, vote for the Polis amendment. Go back to the narrow scope of the bill. That is where we started.

If that is adopted, that would be great, and we could vote for it. If that is not adopted, I would recommend that Members think long and hard about it because you may be causing unintended effects with this bill by defining a Federal water right that potentially preempts and upends hundreds of years of precedent in the Western United States and causes untold damage. It will certainly make a lot of lawyers happy, but it is not probably going to make your farmers and ranchers happy, who you think you are pleasing here today.

Mr. HASTINGS of Washington. Madam Chairman, I am pleased to yield 2 minutes to the gentlelady from Wyoming (Mrs. LUMMIS), a member of the Natural Resources Committee.

Mrs. LUMMIS. Madam Chair, this act reinforces our century-long system, working well in our States, where the States pass water law and administer State water law. State law is crucial in the West.

For example, take how a ski area permit is supposed to work. The Forest Service issues a permit for the use of the land, but the water is administered in accordance with State water law. The water does not belong to the Federal Government.

The headline here should be, ''Keep your mitts off our water.''

If the Federal Government wants water rights, it has to pay for them, or

get in line, just like other citizens and businesses. But now, instead of waiting its turn or paying fair value, the Forest Service is demanding water rights as a condition of ski area permits. They are demanding the full value of water rights it had no role in developing.

The Forest Service isn't just going after ski areas. It is targeting ranchers with grazing permits as well.

The Federal Government claims it needs the water rights because the Federal Government knows best how to manage water for ski recreation and grazing. The reality is the Federal Government doesn't know best at all, and that is why States are in control of water law.

Sound water management and conservation is necessary in the arid and semi-arid West, and the real work is done at the State and local level by individuals. These efforts will only be harmed if we let Federal agencies trample on State water law, substituting their judgment for those who live near water and depend on it for their well-being.

Madam Chair, I have spent thousands of hours of my life irrigating Wyoming's beautiful meadows.

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

Mr. HASTINGS of Washington. I yield the gentlelady an additional 1 minute.

Mrs. LUMMIS. Madam Chair, when you are still and you are out in a meadow, you can hear the water bubble into the ground, and I swear you can hear the grass grow. It is the most amazing, fulfilling thing, and some of the happiest hours I have spent in my entire life. This is personal with me.

Madam Chair, I urge my colleagues to support the Tipton bill.

Mrs. NAPOLITANO. Madam Chair, may I inquire how much time remains?

The Acting CHAIR. The gentlewoman from California has 15½ minutes remaining. The gentleman from Washington has 18 minutes remaining.

Mrs. NAPOLITANO. Thank you, Madam Chair.

Madam Chair, I will include in the RECORD a list of amendments proposed that the Rules Committee did not find in order that are asking to exempt Allegheny National Forest, Delaware River Watershed, and Delaware Water Gap from the effects of the bill.

We also have the Chesapeake Bay Watershed, the Long Island Sound Watershed, the Puget Sound Watershed, and Olympic National Park Watershed. They all want to be excluded from this bill.

SUMMARY OF AMENDMENTS SUBMITTED TO THE RULES COMMITTEE FOR H.R. 3189—WATER RIGHTS PROTECTION ACT

SUMMARIES DERIVED FROM INFORMATION PROVIDED BY SPONSORS

[Listed in Alphabetical Order]

Cartwright (PA): No. 1—Exempts the Allegheny National Forest, Delaware River Watershed, and Delaware Water Gap from the effects of the bill.

Connolly (VA), Van Hollen (MD), Sarbanes (MD), Scott, Bobby (VA), Edwards (MD), Cartwright (PA): No. 13—States that no provisions of the bill shall affect water rights agreements within the Chesapeake Bay watershed.

Holt (NJ): No. 5—Exempts the Delaware River watershed from this Act.

Israel (NY), DeLauro (CT), Esty (CT), Crowley (NY), Engel (NY), Tonko (NY), McCarthy, Carolyn (NY), Bishop, Tim (NY), Courtney (CT): No. 8—Exempts the Long Island Sound watershed from any provision in the legislation.

Kilmer (WA), Heck, Denny (WA), Larsen, Rick (WA), Smith, Adam (WA): No. 9—Clarifies that nothing in the legislation would affect or apply to the Puget Sound watershed.

Kilmer (WA): No. 10—Affirms that nothing in the legislation would affect or apply to the Olympic National Park watershed.

Kilmer (WA), Huffman (CA): No. 11—Clarifies that nothing in the legislation would impact or diminish the treaty rights of federally recognized tribes and nothing would impact water rights of federally recognized tribes.

Langevin (RI), Cicilline (RI): No. 7—Exempts the Nanagansett Bay watershed and the Wood Pawcatuck watershed.

Lujan (NM): No. 2—Notification requirements for the implementation of water settlements.

Mullin, Markwayne (OK): No. 4—Ensures that the federal government cannot make Native America tribes, apply for or acquire water rights under state law for the federal government rather than acquiring the rights for themselves. Prohibits the federal government from using permits, approvals, and other land management agreements to take the water rights of Native American tribes without just compensation. Ensures that nothing in the Act limits or expands the reserved water rights or treaty rights of federally recognized Native American tribes.

Polis (CO), DeGette (CO), Perlmutter (CO), DelBene (WA), Kuster, Ann (NH), Cartwright (PA), Huffman (CA): No. 5—SUBSTITUTE Requires the U.S. Forest Service to issue a new draft water directive within 60 days that does not condition ski area permits on the transfer of title of any water right or require any ski area permittee to acquire a water right in the name of the United States.

Speier (CA), Miller, George (CA), Lee, Barbara (CA): No. 6—Excludes the California Bay Delta system from the provisions of the bill.

Tipton (CO): No. 12—MANAGERS Makes several clarifying technical changes to the bill, and clarifies that the Act will have no effect on Bureau of Reclamation contracts, implementation of the Endangered Species Act, certain existing federal reserved water rights, and certain authorities under the Federal Power Act.

Tonko (NY): No. 14—LATE Ensures that nothing in this Act will affect or apply to the Hudson and Mohawk River watersheds.

Tsongas (MA): No. 3—States that Nothing in this Act shall affect or apply to the Lowell National Historical Park and Minute Man National Historical Park.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC, WEDNESDAY, MARCH 12, 2014.

STATEMENT OF ADMINISTRATION POLICY

H.R. 3189—WATER RIGHTS PROTECTION ACT

(Rep. Tipton, R–Colorado, and 15 cosponsors)

The Administration opposes H.R. 3189, which would prohibit the U.S. Department of the Interior (DOT) and the U.S. Department of Agriculture (USDA) from exerting some control over the exercise of water rights located on Federal lands. The bill threatens the Federal government's longstanding authority to manage property and claim proprietary rights for the benefit of Indian tribes and reserved Federal lands, and the broader public that depends on the proper management of public lands and resources. It adversely affects DOI's and USDA's ability to manage water resources to: (1) protect ongoing public lands uses and the environment; (2) allow for maximum beneficial use of Federal water facilities; and (3) ensure adequate water is available for fisheries or threatened or endangered species.

H.R. 3189 is overly broad and could have numerous unintended consequences. For example, the bill could impede private water rights holders from entering into voluntary agreements with Federal agencies, which benefit State, Federal, and private water rights holders' interests and improve water resource management.

The bill was introduced, in part, to address the U.S. Forest Service's ski area water rights clause proposal, which the Forest Service has changed in response to public feedback and will soon be publishing. The Administration looks forward to working with Congress to address any remaining concerns regarding the ski area water rights proposal after its publication and to developing legislation that maintains the Federal government's interest in protecting public lands and waters, allows for the continuance of voluntary agreements between the Federal government and other water rights holders, and ensures adequate protection of the environment.

Madam Chair, I yield such time as he may consume to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Madam Chair, H.R. 3189 is too broad. It would not solve the problem that it purports to address, but it would indeed impede ongoing collaborative efforts across this country.

Once again, I am afraid that the majority has ignored an opportunity for a bipartisan, solution-oriented engagement on an issue and instead chosen the same old attack-and-accuse and overreach politics.

This legislation stems from a very legitimate concern that was raised by the ski industry regarding how the Forest Service was proposing to handle water rights in public leases for ski areas. This was something that we could have worked together on. In fact, I think the House could have found a constructive bipartisan solution. We could have had this resolved by now.

Instead, the Republican leadership held a hearing on this issue during the government shutdown, meaning that we did not have the opportunity to question the Forest Service. Instead of the benefit of a dialogue and a conversation, we had an empty chair. Of course, the attacks on that empty chair ensued as part of the political theater.

Had the GOP bothered to actually talk to the Forest Service, they would have found a receptive partner in a solution to this problem. They would have found, in fact, that a solution was already in the works.

Had the Republican majority actually worked with the Forest Service, they could have influenced a proposal

that is being revised right now by the Forest Service. Instead, we are dealing with a bill here today that goes far beyond the scope of the issue at hand and could affect voluntary agreements and contracts across this country.

In fact, this bill before us today could stop the Federal Government from taking the very actions that could help ensure recreational opportunities for Americans, like skiing, rafting, kayaking, and fishing. Preventing water right holders from entering into agreements with Federal agencies could put our recreational economy at risk and could impede our ability to implement important water agreements throughout the West.

We still have an opportunity to get back on a constructive track here. We have a chance to pass an amendment—the Polis amendment—that narrows the bill's scope to its original intent and would address the concerns of the ski areas.

I urge my colleagues to support the Polis amendment to address the ski area water rights issues, and I encourage my colleagues on the other side of the aisle to work with us to try to salvage this bill and focus on the real concern at hand.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 2 minutes to the gentlemen from California (Mr. MCCLINTOCK), another member of the Natural Resources Committee.

□ 1500

Mr. MCCLINTOCK. Madam Chairman, people need to understand exactly what is going on here. The U.S. Forest Service and other Federal agencies have begun demanding that privately-owned businesses surrender their long-held water rights simply as a condition of receiving routine renewals in their special use permit so that they can continue to operate on public land.

This is a radical departure from more than 100 years of Federal deference to State law on this issue. It amounts to an uncompensated taking and is a violation of the Fifth Amendment of the Constitution, and it is an affront to State law, under which the Federal Government must acquire water rights through the proper channels as would any other user.

Now, there are 121 ski areas on Federal public lands that are affected by this practice; 14 of them are in my district. These businesses rely on their water rights for snowmaking. They use this water as collateral for financing to build and maintain their facilities and for supplying water to the local communities they support.

In 2011, the Forest Service issued a directive that would effectively take these private property rights without compensation, in violation of State law, while jeopardizing these enterprises all together and all the direct employment, spinoff economic activity, and tax revenues that they provide.

This involved far more than ski resorts. Our Subcommittee on Water and Power has also received reports of similar tactics directed against farm and ranch operations that rely on State-recognized water rights for irrigation and stock watering.

Mr. TIPTON's bill simply directs Federal agencies to stop perverting what should be a routine permitting process into an excuse to extract long-held water rights from private owners.

Mrs. NAPOLITANO. Madam Chair, I now yield such time as she may consume to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Madam Chair, I rise in opposition to H.R. 3189 because it could have severe unintended consequences for the Third District of Massachusetts, which I represent.

A hearing on the bill was held in a most untimely manner, during a government shutdown, thus preventing the Forest Service, Fish and Wildlife Service, National Park Service or any other administration official from answering questions on this legislation.

Given the harsh statements about these very important agencies coming from the other side of the aisle, it seems only fair to have given them a chance to address these charges. According to ''Views'' of this legislation submitted by the Department of Interior after the fact, this bill ''could significantly impact the Department's ability to manage water-related resources within public lands.'' It also goes on to say that ''the legislation is overly broad and could have numerous unintended consequences that would affect existing law and voluntarily agreements.''

My constituents echo this statement. From a local organization that works tirelessly to protect our rivers and watershed in Massachusetts, they say: ''The bill is so very broad it is fairly impossible to assess its true impact. On those very grounds it should not be passed.''

I will be supporting the Polis amendment to narrow the scope of this legislation to its original purpose and to address the legitimate concerns of the ski industry. If this amendment is not adopted, I urge my colleagues to heed the advice of my constituents and to reject this bill.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 2 minutes to the gentleman from Utah (Mr. BISHOP), a member of the House Natural Resources Committee.

Mr. BISHOP of Utah. Madam Chair, when the ranking member was speaking, he quoted from the bill and said: This does not limit the Secretary's right, nor does it expand the Secretary's right. So he said then, What does it actually do?

What it does is very simple. It stops the Federal Government from hurting people. This came to view in the Federal Government trying to take away water rights from ski resorts, and not just in Colorado. It was all ski resorts. As I have said repeatedly, the ski resorts in Utah are far more significant and far better than the ski resorts in Colorado. It affects all of us.

It is not just limited to ski resorts. We also found out these same tactics have been used by BLM and other entities to affect farmers and ranches, same concept, same area.

So what the Tipton bill is trying to do is solve the problem for everybody, not just for a few people. Even people in the East who have water rights will be protected by this bill, whether they recognize that or not.

I want to introduce you to a guy by the name of Tom Lowry. He came to our committee to testify about what they were doing. This is a person, as soon as he got his ranch, the Federal Government—the BLM in this case—started to attack his private water rights. It took him $800,000 in legal fees to go through the system to try and protect his rights.

He eventually got to the Idaho Supreme Court and won, where the Supreme Court said: You are right, the Federal Government was wrong, they have to back up. But it cost him 800 grand in legal fees to do it. That is what the Tipton bill is trying to solve—the rights of those ranchers and those farmers, the rights of ski resorts to actually conduct business and have their rights protected.

That is why any effort to try and limit this down to say, oh, let's just deal with the ski resorts because we care about them, and forget the Tom Lowrys of this world, is a ridiculous approach. The issue is, How can we protect the rights of our people? That is what Congress is supposed to do. The Forest Service hasn't solved their problem yet. They have withdrawn their rules but haven't changed the rules. They have still yet to propose new ones. It is the purpose, and the right, and the responsibility of Congress to step in.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. BISHOP of Utah. It is the responsibility of Congress to tell the bureaucracy what they can and cannot do. We establish laws, not their rules and regulations, and we should tell them they have to respect the rights of individuals, and treat them as real people, and not take away their personal property rights, and that is exactly what the Tipton bill does.

Mrs. NAPOLITANO. Madam Chair, may I ask how many speakers my colleague from the other side has?

Mr. HASTINGS of Washington. Madam Chair, I have at least four others, besides myself, that want to address this very important issue.

Mrs. NAPOLITANO. Madam Chair, I reserve the balance of my time.

Mr. HASTINGS of Washington. I am very pleased to yield 2 minutes to the gentleman from Missouri (Mr. SMITH)

another member of the Natural Resources Committee.

Mr. SMITH of Missouri. Madam Chairwoman, I am proud to stand here with my colleagues today in support of H.R. 3189, the Water Rights Protection Act. With the drought going on in California, and the Federal Government strong-arming private property owners into giving up their water rights, I am afraid that some of my colleagues may think that the Federal confiscation and mismanagement of water resources only affects the West.

Let me tell you, this issue of the Federal Government intruding on private property and water rights is not just limited to the West. In my district in southeast Missouri, time and time again, ill-thought Federal policy has threatened, and will continue, unfortunately, to threaten, private landowners.

In my now 9 months and 8 days in Congress, we have already had to fight back Federal attempts to restrict citizens in my district from using water.

The Department of the Interior tried to create restrictive ''buffer zones'' as a part of the National Blueway System that would have taken away private property rights. Fortunately, we got this program stopped. While the legal framework for water rights is different in the West, this administration's disregard for private landowners applies everywhere.

I urge my colleagues to support this bill to protect water rights not only because it will protect holders of water rights in Western States, but also because it sends a strong, direct message that Congress is tired of these schemes to administratively take away private property rights.

Mrs. NAPOLITANO. Madam Chair, there is no taking of anybody's water rights in this case and the majority knows it. Claiming this is a taking is misleading and irresponsible.

The only way State or private water rights could, I repeat, could be transferred or diminished in any way is if the owner of those rights volunteers to a transfer or a limitation to a portion of those rights as part of a deal to receive the permission to use Federal land.

Volunteering to limit your water rights in exchange for the use of Federal land, taxpayer land, is the opposite of taking.

The various court cases the majority has thrown around deal with legitimate, I repeat, legitimate water rights issues; cases where there are overlapping or conflicting claims over the same water. This is not that type of a case.

I defy my colleagues to produce any case law holding that a decision to give up a water right, voluntarily, in order to get another Federal benefit is a taking. There are no such cases.

Madam Chair, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 2 minutes to the gentleman from Colorado (Mr. GARDNER), who I think was a member of the committee but is not anymore.

Mr. GARDNER. Madam Chair, I thank the chairman for his work on this very important issue, and my colleague from Colorado (Mr. TIPTON) for his hard work to protect Colorado water rights.

You know, if you go to the capitol of Colorado, you go into the rotunda of that great and beautiful building, there on the wall on a mural are the words of a poem by Thomas Hornsby Ferril, and that poem says: ''Here is a land where life is written in water.''

The foundational laws of our great State deal with the waters of Colorado, the four corners of our State, whose agriculture, commerce, industry, and municipalities depend on that water and, yes, our ski industries, our farmers, our ranchers.

Thank goodness for legislation like this that will protect our water rights. Thank goodness for legislation like this that will make sure that the State's water law remains supreme.

How dare this body think that the Federal Government has a right to control our water or to condition permits based on the blackmail of a permit issuance from a ski resort, from a farmer, from a city.

These rights have gone through Colorado water law for decades, over a century. Hundreds of millions of dollars have been spent in Colorado to adjudicate these rights.

To think that the Federal Government can come in and take them because they won't issue a permit unless you give it to them, that is a taking of water. The Federal Government has no right to do that.

It is our State law in water that remains supreme. It is our State law that must remain supreme when it comes to the water of our land.

Here is a land where life is written in water. Those words will remain in our great State. Our laws will remain, and thank goodness for legislation like this to make sure that our State can control its water, not Washington, D.C.

Mrs. NAPOLITANO. Madam Chair, the base bill actually creates all kinds of uncertainty, and allows a ski area owner to sell their water rights.

If you are a local business owner in that area who depends on the ski resort business, let's say you own a restaurant or an equipment store or have a hotel, H.R. 3189 means that you have no idea, from one year to the next, whether the resort, which brings people to town, will still be operating if it has water.

If the water rights are not tied to the resort in any way, which is what H.R. 3189 wants to ensure, there is no guarantee that the owners won't sell the water, leaving the Forest Service holding a ski resort that cannot operate without that water because the water rights have been previously sold.

It is the Forest Service that is trying to create some minimal certainty that the resort would have current water rights to keep running, even if the current owners were to leave.

It is H.R. 3189 that is trying to prevent that certainty.

Madam Chair, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chair, I am very pleased to yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), a former member of the House Natural Resources Committee.

□ 1515

Mr. SCALISE. I thank the chairman for yielding, and I want to thank the gentleman from Colorado (Mr. TIPTON) for leading on this issue.

Madam Chair, I rise in strong support of this legislation that finally puts a check and a balance on Federal agencies that are literally out there shaking down landowners over their property rights.

When you look at what the Federal Government is doing and you wonder why people are losing faith in the government, why people don't trust government, when a Federal agent shows up and says the only way you can get a permit is if you give up your property rights to your water, literally, extortion is coming from Federal bureaucrats.

This is not the way our government is supposed to operate, Madam Chair. This is what this legislation is here to remedy.

When you look at what is going on, it is not just the Secretary of the Interior and the Secretary of Agriculture. We have seen this from other Federal agencies. Look at what the EPA does with their sue-and-settle process, where they literally go behind the cloak of darkness and cut secret deals and, again, force people to do things that aren't even in statute, just as a condition of getting basic permits. This is not how government is supposed to operate.

So while we have seen some of the egregious abuses limited in the Western parts of our country, this is not just a Western issue, Madam Chair. All Americans ought to be concerned when the Federal Government is literally shaking down and extorting Americans and forcing them to give away their private property rights just as a condition of getting a permit.

It is not right. It is not the right way to treat people. It is not the right way for the Federal Government to operate. This bill finally remedies that problem. It stops those abuses. I urge strong support of the legislation.

Mrs. NAPOLITANO. Madam Chair, H.R. 3189 turns the status quo on its head in order to provide a certain class of users a new advantage over all other users of our public lands.

It strikes me as interesting that I have heard farmers and ranchers mentioned a couple of times, although this, apparently, also affects grazing lands, which I believe farmers and ranchers

do use; and unfortunately, I am sure they have not looked at it well enough to understand what really could happen.

The status quo is that Federal land managers have to try to balance multiple competing uses of our public/taxpayer lands—recreation, timber, grazing, conservation, energy production, and the list goes on.

Under the status quo, one of the tools land managers use to achieve this balance is the ability to condition certain uses of public lands—taxpayer lands—on an agreement to transfer or limit water rights.

If you want the ability to graze or cut timber or build a dam on public lands, you have to agree to leave some water in the river for other uses, like recreation, habitat protection, et cetera.

If that authority is taken away, as the bill would do, then certain kinds of users of our public lands get to take all the water they want, leaving everybody else literally hanging high and very dry.

The status quo is balanced. H.R. 3189 tips the scale all the way in favor of a certain class of users and turns the status quo into chaos.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 2 minutes to the gentleman from Georgia (Mr. WOODALL), a member of the Rules Committee.

Mr. WOODALL. I thank the chairman for yielding.

Madam Chair, this is often characterized as a Western issue, and it is not a Western issue. The water wars that go on in the West are certainly a special type of battle; but this is an American issue in what it does.

There are two really interesting things going on, on the House floor today, that I hope all of my colleagues and I hope the American people are watching.

On the one hand, there is a really neat moment of agreement that is happening here. You hear so much about disagreement in Washington. The Federal Government issues an order that says, in order to continue to exercise your business, you must surrender your private property to the government. Well, we could all agree that is outrageous.

I thank the gentleman from Colorado (Mr. TIPTON) for leading in the effort to repeal that, which has been a bipartisan effort on both sides of the aisle. We have an actual order—an actual proposal, and we can come together and agree that this is not who we are, as a people. It is very interesting, and I am glad that we are able to do that.

The second thing that is happening, Madam Chair, is that there is a concern that a certain class of citizen is going to get a higher and better use of land; and I just want to point out that that certain class is the owner of a private property right. Right? That is actually the debate that is happening here.

If you own something, if something belongs to you, should you be allowed to use it? Or in the name of creating a better country, in the spirit of maximizing the utility of Federal lands, should the Federal Government be able to take that from you and redistribute it, so that things are fairer? That is a legitimate discussion to have.

I come down on the side of my friend from Colorado who says not only is it outrageous that the government tried to take private property rights in this circumstance; but why not take this step now to recognize that private property means something? Not only are we going to protect our ski resorts, but we are going to make sure this never happens to any other American citizens again.

''Extortion'' is a strong word. It is a strong word, but I can think of no other word to apply to what the government was trying to do here today. I am grateful to my friends on both sides of the aisle for moving to stop that.

Mrs. NAPOLITANO. I reserve the balance of my time, Madam Chair.

Mr. HASTINGS of Washington. Madam Chair, I am very pleased to yield 1½ minutes to the gentleman from California (Mr. LAMALFA), a member of the Natural Resources Committee.

Mr. LAMALFA. I thank the chairman for yielding.

Madam Chair, I am glad to be able to speak today on H.R. 3189. This bill will have a great impact on many of the resource holders in my district here in the northeast part of California.

Yes, we are going through a drought, but this isn't just an issue that might affect ski resorts or even ranchers. This is a property rights issue that we should be looking at all across the country.

It is very dangerous when the U.S. Forest Service or BLM can just come in and arbitrarily decide, after long-held water rights—some of these ranches have been around 150 years or more—that they can change the game—change the rules.

The ranches have been around longer than some of these bureaucracies; yet they want to come in and say: we are going to change the game because we have decided it should be different.

Now, when you have this type of right under fire for something as beneficial—farming and ranching, grazing is actually beneficial to forest land, towards fire suppression—and yet, we have people who think that this is somehow a special right or something that is going to take additional water away from other people.

These are already adjudicated water rights—pre-1914 water rights in California. They are not taking more than what already belongs to them, so it is really a misnomer to think that we are now somehow rejiggering this because it is going to take more from other people.

For 150 years, they have been around; and now, in this day and age, because of the thoughts of a few bureaucrats who want to do this by extortion—which is what it is—you get a permit only if you give up something that has belonged to you for many, many years.

It belongs to them because it is a long-held water right—a long-held property right, so I am glad to help sponsor and support this bill.

Mrs. NAPOLITANO. Madam Chair, I yield myself such time as I may consume.

My colleague is right, but then let's hold a hearing on the water rights themselves and bring the impacted and affected parties to the table, so that there is a fair hearing which is open, transparent, and fair, but we haven't done that.

We are talking about H.R. 3189, which essentially was set up to deal with the differences between the ski resorts and the Forest Service.

Water belongs to the State, and the State gives people the right to use it. It is owned by the people of the United States.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I will reserve the balance of my time.

Mrs. NAPOLITANO. Madam Chair, I yield such time as he may consume to the gentleman from Colorado, Congressman POLIS.

Mr. POLIS. I thank the gentlewoman for yielding.

Madam Chair, I want to make it clear that I was an original sponsor of this bill. Like my colleague from Colorado (Mr. TIPTON), I wanted to address the 2011 directive as it affected ski resorts.

However, this bill, in markup and through the manager's amendment, became worse. We were unable to get the improvements that we needed to narrow the scope; and it became a Republican job-killing, water-grabbing bill, which was not the original intent.

Even the areas where the intent was to help the ski areas—in Summit County and Eagle County in my district, in Pitkin County in Mr. TIPTON's district—the counties have all come out against this very bill.

It is a Republican water-grabbing, job-killing bill, and absent the amendment that I proposed, it is not something that I can support. I encourage my colleagues on my side of the aisle who value recreational opportunities, like fishing and white-water rafting, to join me in opposing this bill, unless the Polis amendment is incorporated into the bill.

We will soon begin a debate on that amendment. This debate would focus the actual bill to fulfill its purpose, and I hope that this body will adopt it.

Mr. HASTINGS of Washington. Madam Chairman, I will advise my friend from California that I am prepared to close and will reserve the balance of my time.

Mrs. NAPOLITANO. Madam Chair, I am certainly grateful for the opportunity to have this dialogue, and I

think it is very important for the American people to listen in and understand that one bill that was meant to cover a specific issue has been turned into a gigantic—I would say—mess.

We understand the reasoning behind it, to some extent, and we trust that our colleagues understand and are prepared to vote on something that may have unintended consequences in their own backyards.

This bill is flawed. It is flawed on process, on policy, and in claiming that it does protect State water rights. The Governors Association has indicated that they wanted to ensure that the states' water rights remain protected.

We welcome legislation that devises a real solution to a targeted problem, which the amendment that Mr. POLIS has on the floor will address. We are supportive of that amendment and hope others will support his amendment, which was made in order.

We, unfortunately, feel that H.R. 3189 does not solve the problem. It creates more problems and has no chance of being enacted into law, and I trust that we will do the right thing by the people because we are talking about protecting the U.S. public, their lands, and their water.

I yield back the balance of my time.

Mr. HASTINGS of Washington. I yield myself the balance of the time.

Madam Chairman, let me just comment on a few points here that were made by my friends on the other side of the aisle. There was some concern about the timing of the hearing and the people who were invited.

I just want to make this point: when the hearing was held, we have to have advance notice. We had witnesses coming in from across the country, so we are going to have the hearing on the day we said because of the expense incurred by those private citizens who wanted to come here and testify to help protect private water rights.

The second point is this was a bipartisan bill, as my colleague from Colorado (Mr. POLIS) admitted. He was an original cosponsor of the bill. Maybe that was a reason why my friends on the other side of the aisle did not call a witness for or against the original legislation.

I just wanted to make that point. The hearing was scheduled, and it had to go through because of the expense of the private citizens coming in to testify.

I want to make another point, too, that some of my colleagues have made. Several of them have said that this legislation redefines Federal water rights.

Madam Chairman, that is simply not true. If they read the bill, they would see that the definition is for the purpose of this act only, meaning that the definition is only for this act, so that doesn't hold up either.

Just about all of my colleagues on the other side that talked about the Federal lands and so forth—I will acknowledge that this is about Federal activity on Federal lands, but nowhere—nowhere did my colleagues suggest or say that the Federal Government had the water rights.

Why? Because that is states' rights; and as my colleague from Wyoming said: Yes, it is Federal land; but it is State water, and you have to mesh those together.

And finally—I think this is probably more important than anything else, and frankly, a debate like this has been going on for some time.

□ 1530

We agree—we agree, both sides—that ski resorts have been potentially compromised by the threat of the Federal Government saying ''no permit unless you give up water.'' Both sides agree on that. The question is, What is the remedy?

The big difference I think between the two sides is this. Their remedy is, well, the rulemaking isn't over. Let's find out what the rulemaking is, and then we will respond to it. Our side takes a different approach. Our side says wait a minute. We are the House of Representatives. We are part of the Congress. We make the law.

That is what this legislation does. It makes the law saying the Federal Government cannot extort, through the permitting process, State water rights. It is as simple as that. And so if we are going to continue to have the debate in this House on divisions between the two parties and what their philosophy is, frankly, I welcome this, because it appears every time we have a debate similar to this, their side says let the bureaucracy write the laws. We say wait a minute. That is not the way it is supposed to be. We are the Congress. We write the laws. That is what this debate is about here today, and I look forward to the amendment process.

In the meantime, I urge my colleagues to support this legislation. It has been characterized as a Western piece of legislation, but as Mr. WOODALL says, indeed, it is not. It affects all water rights which are the province of the States.

It is good legislation, and I yield back the balance of my time.

Mr. CONNOLLY. Madam Chair, this legislation before us today claims to resolve a local and narrow conflict over water rights between the U.S. Forest Service and the Colorado ski industry. Unfortunately, this bill's scope and impacts have been expanded far beyond its originally stated intent.

Under the guise of addressing a specific local water rights issue the Republican majority is once again trying to tie the hands of agencies across the government as they work to protect and restore our waterways, public lands, and watersheds by restricting all actions that require a federal permit.

The deleterious effects, both intended and unintended, resulting from this deeply flawed bill will ripple far and wide across our country including in my region, most notably the Chesapeake Bay.

The Chesapeake Bay watershed is a national treasure stretching more than 64,000 square miles, encompassing six states, 150 major rivers and streams, and is home to more than 17 million people. It is America's largest estuary. But the Bay is in need of restoration.

Since 1983 federal, state, and local stakeholders have worked together to implement and refine the Chesapeake Bay Watershed Agreement. As a result we have seen significant improvements in phosphorus and sediment pollution reduction, better management of fisheries including the restoration of blue crab, and restoration of habitats and wetlands.

According to the Chesapeake Bay Foundation's 2012 State of the Bay Report, of the 13 indicators being monitored, improvements have been made in five and only one indicator declined. Of particular importance, habitat scores received a B+ and rockfish and crab fishery restoration received an A and B+ respectively.

That progress has been achieved only by using all the tools at our disposal, including requiring conditional permitting for water rights.

There is still more work to be done to get the Bay restored to full health. That is why I offered an amendment with colleagues from Virginia, Maryland, and Pennsylvania that would ensure that no provisions in the bill would affect water rights agreements within the Chesapeake Bay watershed. Sadly, the Republican–controlled Rules Committee refused to allow a floor vote on this.

One wonders about the true intent of this bill. Why didn't Republicans accept our amendment to protect the Bay? Why did they refuse similar amendments that would protect other local treasures including the Long Island Sound in the Northeast, the Puget Sound in the Northwest, and the California Bay Delta? All of these projects are threatened by this bill.

Unless this bill is amended to address these discrete local issues, I urge my colleagues to oppose H.R. 3189, an overreach that will harm watersheds across the nation.

The CHAIR. All time for general debate has expired.

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

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

H.R. 3189

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 ''Water Rights Protection Act''.

SEC. 2. TREATMENT OF WATER RIGHTS.

The Secretary of the Interior and the Secretary of Agriculture—

(1) shall not condition the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on the transfer of any water right directly to the United States, or any impairment of title, in whole or in part, granted or otherwise recognized under State law, by Federal or State adjudication, decree, or other judgment, or pursuant to any interstate water compact; and

(2) shall not require any water user to apply for or acquire a water right in the name of the United States under State law as a condition of the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement.

SEC. 3. DEFINITION.

For purposes of this Act, the term ''water right'' means any surface, groundwater, or storage use filed, permitted, certificated, confirmed, decreed, adjudicated, or otherwise recognized by a judicial proceeding or by the State in which the user acquires possession of the water or puts it to beneficial use.

SEC. 4. IMPACT ON EXISTING AUTHORITY.

Nothing in this Act limits or expands any existing authority of the Secretaries to condition any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on Federal lands subject to their respective jurisdictions.

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of House Report 113–379. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. TIPTON

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 113–379.

Mr. TIPTON. 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 3, line 13, insert ''(including joint and sole ownership)'' after ''water right''.

Page 4, line 9, insert ''legally recognized'' after ''existing''.

Page 4, line 10, insert ''issue, grant, or'' before ''condition''.

Page 4, after line 13, insert the following:

SEC. 5. EFFECT ON RECLAMATION CONTRACTS.

Nothing in this Act shall in any way interfere with existing or future Bureau of Reclamation contracts entered into pursuant to Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act).

SEC. 6. EFFECT ON ENDANGERED SPECIES ACT.

Nothing in this Act shall affect the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 7. EFFECT ON FEDERAL RESERVED WATER RIGHTS.

Nothing in this Act limits or expands any existing reserved water rights of the Federal Government on lands administered by the Secretary of the Interior or the Secretary of Agriculture.

SEC. 8. EFFECT ON FEDERAL POWER ACT.

Nothing in this Act limits or expands authorities pursuant to sections 4(e), 10(j), or 18 of the Federal Power Act (16 U.S.C. 797(e), 803(j), and 811).

The CHAIR. Pursuant to House Resolution 515, the gentleman from Colorado (Mr. TIPTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. TIPTON. Madam Chair, I offer this amendment to further strengthen and improve this bipartisan bill. As we heard during general debate, the bill has one goal: to eliminate Federal extortion of private property.

The Federal Government cannot and should not take and seize what it does not own without compensation, but that has been happening, and the threat continues to exist for a host of individuals and businesses who responsibly use our public lands for multiple purposes.

This bill ends this Federal property rights grab; however, we just heard a litany of charges that the bill impacts other Federal actions. Nothing could be further from the truth. The bill already has a savings clause ensuring that any existing Federal authorities are not impacted. Importantly, the Federal Government does not have the authority to take private property rights without just compensation; but, to further clarify, my amendment reiterates the specific actions into the bill—the protection of existing Federal water contracts.

The Colorado River Water District, the Family Farm Alliance, the National Water Resources Association, all organizations whose members have contracts with the Bureau of Reclamation, already support this bill, and that should have been enough. Yet we heard rhetoric from the other side today that water contracts are in danger despite the ardent support of water organizations.

This amendment specifically reiterates this protection, ensuring implementation of the Endangered Species Act and any flows needed for the species, the protection of reserved water rights for national parks and other Federal lands, and continuing the hydropower relicensing process for non-Federal dams. These additions to the bill are a simple reiteration of protections already built into the bipartisan bill.

Yet, in a good-faith effort to dispel any myths, I offer these provisions to ensure, once and for all, that the only thing the bill does is protect private water rights owners from being extorted by the Federal Government through underhanded administrative means.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. TIPTON. I certainly yield to the chairman.

Mr. HASTINGS of Washington. I thank the gentleman for his work on the underlying bill and his amendment.

I support the amendment.

Mr. TIPTON. Madam Chair, I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Madam Chair, the amendment doesn't fix the bill because the bill cannot be fixed.

The savings clause in the base bill and the savings clauses that will likely be added by the manager's amendment are symptoms of the problem with the initial bill, not the solution.

If you have a 4-page bill and you need to insert five different savings clauses, you have a problem, my friends. The need to insert layer upon layer of text trying to explain that you don't mean for the bill to do this or that proves beyond any doubt that the bill is a massive and dangerous overreach.

We have no idea how these savings clauses operate in the context of the bill, but what we do know is that, even with the five savings clauses, you haven't caught all the problems.

The only responsible policy is the one offered by Mr. POLIS in his substitute amendment which focuses, again, strictly on the main issue that brought this to the forefront, and that was the Forest Service and the ski resorts. Everything else is just a failed attempt to fix the bill.

Madam Chair, I reserve the balance of my time.

Mr. TIPTON. Madam Chair, I suppose I can bring some good news. It is not a 5-page bill, but actually a 3-page bill that we have actually put forward.

What I think we are really frustrated about is that we often hear from our colleagues that they want to be able to have bipartisanship. They are concerned about endangered species. While it is already protected in the bill, we add a further savings clause to be able to protect it.

They are concerned about the Federal Government being able to continue operations under legal authority—already protected in the original bill. We put in an additional savings clause to be able to address that.

We are concerned even more than they are, apparently, about standing up for Native American tribes in some proposed amendments that we are going to be putting forward to protect them from using Native tribes as a tool to extort water for the Federal Government.

This is a commonsense, sensible piece of legislation. Our colleagues want to say that it is expanded. Actually, I have the original bill in my hand. They say it is simply about ski resorts. We have common ground. I, too, want to be able to protect ski resorts, but I am not willing to sacrifice, on the altar of the Federal Government, our farm and ranch communities in addition to our municipalities.

Looking at the original bill, it doesn't mention ski areas once, yet an author of an amendment today said it has become more broad. Show me how.

This is a good piece of legislation. The manager's amendment addresses their very concerns.

With that, I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Chairman, I yield 2 minutes to my colleague from Colorado (Mr. POLIS).

Mr. POLIS. Madam Chair, I want to be clear that the concerns are by no means limited to the Endangered Species Act. The Republicans may care about endangered species, but they don't care about jobs. The Forest Service, the BLM, Interior, and Agriculture agencies all have relevant authority with regard to bypass flows. None of those are mentioned under this particular manager's amendment.

What this manager's amendment shows is Republicans care more about endangered species than they do about jobs in our mountain resort areas. This manager's amendment added the term ''impairment of title.'' We wanted this limited to ''transfer of title'' because ''impairment of title'' actually expands the scope of the bill from the original bill. In addition, the so-called savings clause actually appears to negate the very bill that it appears in.

This takes a bill that we had offered language to the committee and to Representative TIPTON to make this a bipartisan bill. I think it could have very closely unanimously passed the House, certainly enough to pass a suspension, and instead they made a bill that even the very ski areas that they are claiming to help—actually, all the counties that I have that have ski resorts actually oppose this job-killing Republican water grab bill.

Mr. TIPTON. Madam Chair, how much time remains?

The CHAIR. The gentleman from Colorado has 1½ minutes remaining. The gentlewoman from California has 2½ minutes remaining.

Mr. TIPTON. Madam Chair, for the point of clarity, to ease the concerns of my colleague from Colorado, the National Ski Areas Association endorses this bill today. That has not changed. Also, to alleviate the concerns that you just demonstrated, no existing authorities will be impacted under this legislation. No existing authorities will be impacted. No bypass flows will be impacted.

Effectively, what this bill is doing, Madam Chair, is we are codifying existing practice, which I think we all agree is a desirable thing to have continue.

This is about political theater. The job-killing part of what is happening right now is being conducted by the Federal Government. They are killing jobs with a Federal Government water grab.

Either you stand with the farmers, the ranchers, and long-held practices of the West or you don't. If you don't, I do, and that is what this bill continues to support.

Madam Chairman, I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Chair, I know I have said it before, the ski resort association wants to focus on this bill, so I am suggesting that we do approve the Polis amendment and then hold a hearing—an open hearing and a transparent hearing—for those agencies that are impacted so they may have the ability to have a word and be able to move this forward. I might add that the savings clause does not include the national parks. So all the units, Grand Canyon and others, are impacted.

I reserve the balance of my time.

Mr. TIPTON. Madam Chair, again, I will refer my colleagues to the text of the bill. No Federal water rights that they currently have are going to be impaired. That includes national parks.

We continue to hear about the upcoming Polis amendment. The original bill that Mr. POLIS and I introduced never specifically mentioned just ski areas. It talks about any permit. So if you care about farmers, if you care about ranchers, if you care about municipalities, and if you care about ski areas, which we all share, let's protect those private property rights from Federal extortion.

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

Mrs. NAPOLITANO. Madam Chair, when we considered the bill in committee, the majority claimed the bill had nothing to do with the ESA or the bypass flows or FERC or reclamation projects, which we pointed out that it did. Now they have a savings clause for each one of those issues. Now they admit their mistakes. Sadly, when a bill has this many holes in it, no amendment can fix them all, so this bill cannot be saved by this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. MULLIN

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 113–379.

Mr. MULLIN. Madam Chair, I have an amendment at the table.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 18, insert ''(including any federally recognized Indian tribe)'' after ''water user''.

Page 4, line 7, insert after the period ''Such term shall include water rights for federally recognized Indian tribes.''.

Page 4, after line 13, insert the following:

SEC. 5. EFFECT ON INDIAN WATER RIGHTS.

Nothing in this Act limits or expands any existing reserved water right or treaty right of any federally recognized Indian tribe.

The CHAIR. Pursuant to House Resolution 515, the gentleman from Oklahoma (Mr. MULLIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Madam Chair, protecting the rights of the sovereign tribes is a top priority of mine, and I am proud to work with Congressman TIPTON in supporting the Water Rights Protection Act and offering this amendment to clarify protections for the water rights of American Indian tribes. Many tribes rely on reserved water rights and water rights guaranteed by treaty to provide critical water supplies for their people. This amendment makes clear that these water rights are fully protected.

This amendment also ensures that the Department of the Interior and the Department of Agriculture can't use one-sided permits, licenses, approvals, and other land management tools to take water from Indian tribes without just compensation. American Indian tribes have a distinguished record of being outstanding stewards of their water supplies and should never have to fear forfeiture of their water rights to the Federal Government. By prohibiting these Federal agencies from using heavy-handed tactics to take Indian water rights, we can proactively protect tribes from the potential Federal water grabs.

□ 1545

Taken together, H.R. 3189 and this amendment provide comprehensive water rights protections for all water users and help ensure the water supply certainty and jobs that are dependent on those rights.

I thank the chairman and urge a ''yes'' vote on this amendment.

I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Madam Chair, this amendment does not fix the bill because the bill cannot be fixed.

The savings clause in the base bill and the savings clause that Mr. MULLIN's amendment includes are symptoms of the problem that we pointed out before in this bill, not the solution. The amendment would be the sixth savings clause added to this 4-page bill.

I do support Representative MULLIN's and Representative COLE's efforts in protecting our Native American communities' water rights. As the gentleman from Oklahoma (Mr. COLE) mentioned at the Rules Committee last night, Native American water rights are the oldest water rights in the system. They are time immemorial, and yet we choose to ignore them.

I remember Congressman KILDEE repeatedly saying, under the Constitution, they hold the first water rights in the United States, and yet we do not recognize them. Yet, since Republicans took the majority 4 years ago, there has been no legislation, no oversight hearings on any Indian water rights settlements.

If we want to support Native American water rights, Congress should consider tribal water rights legislation, enact tribal water rights legislation, and fund tribal water rights legislation.

I reserve the balance of my time.

Mr. MULLIN. I yield 1 minute to the gentleman from Washington, Chairman HASTINGS.

Mr. HASTINGS of Washington. Madam Chair, I thank the gentleman for yielding, and I want to commend the gentleman from Oklahoma for his hard work on behalf of Native Americans.

American Indian tribes rely on their water rights to provide critical supplies to their people and to promote and expand their local economies. These rights must be protected from Federal regulations that are designed to take water without paying for that water, and this amendment does just that.

This forward-looking amendment simply allows tribes to have the same protections that are afforded to others in the bill by prohibiting the Federal Government from using routine permits to extort private water rights. It also preserves the water rights guaranteed to tribes by treaty and by Federal reservation. Although this bill already does the latter, we believe it is important to clarify this important protection, so I urge my colleagues to support this commonsense amendment. I commend the gentleman for offering it.

Mrs. NAPOLITANO. Madam Chair, I reserve the balance of my time.

Mr. MULLIN. In Indian country, we have learned that we can never just take something that the Federal Government says and take it as truth. We have to always verify. This is simply trying to clarify that the Federal Government has no rights to come onto the Indian land and tell us how we can and can't use our water. This is just simply saying, look, we have the rights; the treaties say we have the rights, and we want to make sure that the Federal Government doesn't come in and grab our water rights. There should be zero opposition to this. There should be bipartisan support.

I yield back the balance of my time.

Mrs. NAPOLITANO. Madam Chair, this bill is so badly written we really have no idea—I repeat, no idea—what impact this may have on tribes. Yes, Mr. MULLIN, I totally support water rights for Native Americans. We have been working on that for at least 8 years in my subcommittee, as well as other water rights owners. We don't oppose your amendment, and we honestly really truly hope this will offer adequate protection to tribes. They deserve it. It is a long time coming. But, as we have said, the bill is beyond repair. Even if we were to adopt the amendment, H.R. 3189 is dangerous legislation that must be defeated.

I urge my colleagues to vote against this amendment; although, I don't oppose the amendment, but I do oppose the bill, H.R. 3189.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. POLIS

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 113–379.

Mr. POLIS. 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:

Strike all after the enacting clause and insert the following:

SECTION 1. PROHIBITION ON CONDITIONING SKI AREA PERMIT ON TRANSFER OR ACQUISITION OF WATER RIGHTS ON BEHALF OF THE UNITED STATES.

The Secretary of Agriculture, acting through the Chief of the Forest Service, shall not—

(1) condition the issuance, renewal, amendment, or extension of any ski area permit on the transfer of title or ownership, including joint ownership, of any water right granted or otherwise recognized under State law, by Federal or State adjudication, decree, or other judgment, or pursuant to any interstate water compact, directly to the United States; or

(2) require any ski area permittee to apply for or acquire a water right in the name of the United States under State law as a condition of the issuance, renewal, amendment, or extension of any ski area permit.

The CHAIR. Pursuant to House Resolution 515, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Chair, my colleague, the gentleman from Colorado (Mr. TIPTON), mentioned the National Ski Areas Association, and I include their February 11 letter for the RECORD. It states here, in part:

However, to make it abundantly clear that ski areas have a narrow and pointed agenda with respect to this legislation and that we are committed to maintaining stream and aquatic species health, we are now advocating changes to the bill to narrow its scope even further. These changes include narrowing the scope of the bill to apply just to the U.S. Forest Service, and clarifying that the bill prohibits forced transfers of ownership of water rights to the United States by inserting the term ''title'' into the bill.

I believe that my amendment is consistent with the position of the National Ski Areas Association.

I am a strong believer in the original purpose of this bill. Yes, the U.S. Forest Service overstepped its authority by issuing a policy that requires ski area permittees to transfer ownership of their water rights to the Federal Government.

Ski areas are the lifeblood of our mountain communities in Colorado and many communities across the Nation. Their economic viability and strength is extraordinarily important for working families. Ski areas have invested hundreds of millions of dollars of capital, and they can't be simply required to hand over their water rights to the Federal Government. This harmful policy hinders ski resort growth and expansion and harms the economy. My amendment fixes it.

There is a legitimate issue here, and Congress could be solving it in a bipartisan manner. We agree that the 2011 U.S. Forest Service directive is a problem. This could have been a suspension bill, but H.R. 3189, despite our best efforts from my side of the aisle, does not reflect a bipartisan agreement to the water rights issue.

There is not one comparable Federal water rights directive like the U.S. Forest Service directive, but the Republicans couldn't help themselves here, and they have, instead of fixing an issue, created a job-killing, water-grabbing Republican bill that will destroy jobs in Colorado and in mountain resorts across the country.

This process has become convoluted and the bill overly broad. This legislation only serves to cast doubt on the complicated laws and precedents and authorities that make up our Nation's and States' water laws, and that it is critical to remain stable and predictable over time. This expansive legislation undermines jobs and recreational opportunities, from white-water rafting to fishing. Sportsmen's groups oppose this legislation. Ski counties in my district oppose this legislation.

It was brought up in committee yesterday, could the opposition be ''political.'' Well, I want to be clear, one of the ski counties in my district, all three of the commissioners are Republican. Grand County, they oppose this bill unanimously, as do Summit County and Eagle County. Rafting and paddling groups oppose this legislation because it impacts our world-class, white-water runs.

I hope we can fix this bill. We have tried hard throughout this process to offer language in the committee that would make this a bipartisan bill, to offer language to the chief sponsor, Representative TIPTON. Up to this point, we have been rebuffed. This is our last hope to fix this bill and create something that actually responds to the flawed Forest Service directive of 2011. Without this change, this bill has nothing to do with the 2011 directive. It is just talk. It doesn't even respond to the issue it is designed to solve, which is why some of the very same ski communities that wanted a response to the 2011 directive don't even support this bill at this point.

Since ski area water rights are a valuable asset that need to be protected, I am proud to have offered this amendment with Representative KUSTER, Representative DEGETTE, Representative PERLMUTTER, Representative DELBENE, Representative CARTWRIGHT, and Representative HUFFMAN that would fix H.R. 3189, return the bill to its original purpose, lead to a strong House vote, and ensure that any U.S. Forest Service directive will not condition ski area permits on the transfer of title of any water right or require any ski area permittee to acquire a water right in the name of the United States.

I reserve the balance of my time.

NATIONAL SKI AREAS ASSOCIATION,
February 11, 2014.

Re Support for Water Rights Protection Act.

Hon. SCOTT TIPTON,
Cannon HOB,
Washington, DC.
Hon. JARED POLIS,
Longworth House Office Building,
Washington, DC.
Hon. JOHN BARRASSO,
Dirksen Senate Office Building,
Washington, DC.
Hon. MARK UDALL,
Hart Office Building,
Washington, DC.

GENTLEMEN: I am writing on behalf of the ski industry to express the reasons ski areas strongly support passage of the bipartisan Water Rights Protection Act, H.R. 3189/S. 1630, and to advocate changes to the bill to narrow its scope. At the outset, the ski industry would like to express our deep appreciation of your efforts to protect ski area water rights from federal encroachment over the past couple of years. Your leadership on protecting water rights and your commitment to working in a bipartisan fashion to solve this problem on behalf of ski areas and other permittees on federal land have had very positive and real effects to date. While ski areas have enjoyed a long and successful partnership with the Forest Service spanning almost eight decades, Forest Service water policy is an issue on which we simply do not agree. We have invested too much in water rights to simply hand them over to the federal government.

As you are well aware, the Water Rights Protection Act would stop the federal government from illegally seizing water rights from private parties that develop them, such as ski areas, in violation of State water law and 5th Amendment property rights protections. The intent of the bill is narrow—to protect valuable assets of ski areas and other permittees that use federal land from seizure without compensation by the federal government. Essentially everyone agrees on the need for this protection, given recent (and past) Forest Service policy that demands transfer of valuable water rights to the U.S. without compensation. This policy threatened to rock the foundation of over a hundred years' worth of water law in the West, and again, thanks to your intervention, beneficial changes are expected in the future.

The intention of the Water Rights Protection Act is not to impact stream health or aquatic species in any way. Some conservation groups contend that H.R. 3189 has a broader effect than simply protecting water rights, and in fact would hinder federal efforts to protect stream health and fish. Ski areas and other stakeholders strongly disagree with this interpretation of the bill and would never support a bill that had this result. In fact, a ''savings clause'' was included in the bill to explicitly state that the measure had no other impacts than to protect permittees' water rights from forced transfers. More importantly, the bill does not alter in any way the minimum stream flow protections that are set and enforced by the states on virtually every river and stream. Ski areas support and abide by these minimum stream flow requirements and would never take action to undermine them.

However, to make it abundantly clear that ski areas have a narrow and pointed agenda with respect to this legislation and that we are committed to maintaining stream and aquatic species health, we are now advocating changes to the bill to narrow its scope even further. These changes include narrowing the scope of the bill to apply just to the U.S. Forest Service, and clarifying that the bill prohibits forced transfers of ownership of water rights to the United States by inserting the term ''title'' into the bill. We offer these changes to demonstrate emphatically our unwavering commitment to maintain stream health and aquatic species, and our narrow focus of simply protecting our valuable water rights assets. These changes are directed at solving the concrete problem at hand, which is overreaching policy by the Forest Service that requires a forced transfer of ownership of water rights from permittees to the United States. The bill will continue to benefit all permittees on Forest Service lands, not just ski areas.

The release of a new water policy is expected from the Forest Service sometime in 2014. Ski areas welcome this new policy change, which we understand will not require a forced transfer of ownership of water rights. The release of this policy will not change the need for federal legislation however. First, the new policy is expected to apply prospectively, such that existing water rights subject to past Forest Service water clauses could continue to be in jeopardy of a taking by the Forest Service. Ski areas are proposing an amendment to the bill to protect against the implementation of such clauses beginning with the effective date of this bill. Ski areas have experienced four changes in Forest Service water policy in the last ten years. Only Congress can help stop the pendulum from swinging and provide ski areas the kind of stability they need to grow and succeed in the future.

After prevailing on our challenge of the Forest Service's water rights takings policy in federal court in 2012, ski areas offered an alternative approach for the Forest Service to consider that would not involve forced transfers of water rights. We offered this alternative in the spirit of partnership, and as a way for the Forest Service to work cooperatively with ski areas to support their viability, and the viability of mountain communities, over the long term. The alternative offered by ski areas was to require resorts to provide successors in interest an option to purchase water rights at fair market value upon sale of a ski area. We continue to support this approach as a viable alternative that meets the needs of the agency, provides ski areas needed flexibility, and respects state water law.

Ski areas are great stewards of water resources. It is important for everyone to remember that only a small portion of water that is used for snowmaking is consumed. Most of the water diverted from streams for snowmaking returns to the watershed. Although it varies from region to region, studies show that approximately 80 percent of the water used for snowmaking returns to the watershed. Since the majority of water used for snowmaking is water purchased by a ski area, brought onsite through diversions, stored on-slope, and typically released more slowly back into the watershed with the seasonal melting of the winter snowpack, snowmaking typically benefits the watershed in which it is taking place, as well as downstream users, and can help counteract the harmful effects of drought. In addition to using a whole array of conservation measures, many resorts impound or store water in reservoirs for use during low flow times of the year without affecting fish or aquatic habitat. The ability to control our water assets and investments—which will be the outcome of passage of the Water Rights Protection Act—will enable us to continue this stewardship in the future. It will also allow us to continue to provide a high quality recreation opportunity for millions of people on the National Forests.

In closing, we thank you for your work to date on this issue, and we look forward to continuing to work together in cooperation to ensure the bill's passage.

Sincerely,

MICHAEL BERRY,
President.

Mr. HASTINGS of Washington. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 10 minutes.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Madam Chair, I want to thank the gentleman from Colorado for recognizing that the Federal Government's taking of water rights and economic collateral of ski areas is wrong. His amendment also acknowledges that Congress must act to provide long-term certainty rather than rely on vague assurances from bureaucrats that are subject to change at any time.

I also appreciate the gentleman's initial support for the bill as introduced. His attention to this matter and willingness to fight for the ski areas in his district is commendable and has certainly been noted by colleagues on both sides of the aisle.

However, the amendment he offers today completely undermines the bill he originally added his name to in support. The bill, as introduced and in its current improved form, protects private property rights for all—Madam Chairman, all—water users across the country, not just ski areas. By limiting the bill's scope to ski area permits by the Forest Service, the Polis amendment transforms the bill so that it favors one special group at the expense of all others. Ski areas under his amendment would be protected, but any other water owner or user anywhere in the country would be subject to Federal extortion. It frees the Federal Government to continue targeting the water rights of family farms and ranches and municipalities.

Madam Chair, it is not just wrong for the Federal Government to take water away from ski areas, it is wrong to do it to anyone. There should be no discrimination in this manner. The Polis amendment would eliminate protections for farms and ranches, our Nation's food suppliers. That is why the American Farm Bureau opposes this amendment and supports the underlying bill. The Farm Bureau's members have already been victimized by this Federal overreach, and this amendment would allow that to continue.

Because the Polis amendment is a complete substitute text for the underlying bill, it would strike out all of the protections currently in the bill. The Polis amendment would even eliminate the protections for the Indian treaty rights and Indian water rights that the House just adopted a moment ago with the Mullin amendment.

It is true that the ski areas have suffered greatly at the hands of this Federal overreach. For this reason, the underlying bill does fully protect ski areas, along with every other water

user. How many times do we have to say that? It protects ski areas and all water users, and that is why, as has been mentioned several times, the National Ski Areas Association wrote in February after the committee markup that it strongly supports the bill.

When it comes to protecting the water and private property of American citizens, the Congress shouldn't be picking winners and losers; and Congress should be making the law for that protection, not the bureaucrats. The legislative branch should act to protect all citizens of the executive branch.

It is for these reasons I urge my colleagues to vote ''no'' on the Polis amendment.

I reserve the balance of my time.

□ 1600

Mr. POLIS. Madam Chair, it is my honor to yield 2 minutes to the gentlewoman from California (Mrs. NAPOLITANO), the ranking member of the committee.

Mrs. NAPOLITANO. Madam Chair, I thank Mr. POLIS for yielding.

I must say that, again, I must direct attention to the fact that the February 11 letter from the ski resorts focuses on narrowing the bill, not the bill in total, but narrow focus.

Mr. POLIS joined Mr. TIPTON on this bill in an attempt to seek a reasonable solution to the problem facing ski resorts in the West, but when Mr. POLIS tried to work with the majority and when we on the committee tried to work with the majority to make reasonable, responsible changes to the bill, we were told no.

We were told the majority wanted a big, broad bill that goes way beyond the resorts and way beyond the Forest Service. We pointed out that when you start drafting big, broad bills that go beyond the original issue, you will have unintended consequences, but they would not listen.

Mr. POLIS' amendment is the last chance to make this a narrow, bipartisan bill that can actually pass, and we should adopt it.

Again, we don't want a job killing. We don't want a water grab. We don't want specific people to favor. I think the people need to understand it is the farmers and ranchers who benefit.

The six savings clauses the bill needs is not needed. It is in the Polis amendment because the amendment narrows the scope only to ski resorts and National Forest Service.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Chairman, this amendment creates two different classes of citizens: ski resorts and everybody else.

It leaves the portion of the bill that protects ski resorts from being forced to relinquish their water rights as a condition of continuing to operate in the Federal forests, and that is good, but then it creates a tier of second class citizens.

Unless you own a ski resort, you are fair game for the same demands by these Federal agencies to either give up your water rights or be forced out of business.

For example, our subcommittee heard testimony from Randy Parker. He is the CEO of the Utah Farm Bureau. He told us that the Forest Service and the Bureau of Land Management have threatened to force farmers that have grazing allotments to give up their water rights as a condition of continuing to use the public lands.

In some cases, these are permits that family businesses have held for generations. The water rights are accorded to them under State law. The Federal Government has no right to usurp that law or to force anybody into the Hobson's choice of closing their business or surrendering their water rights.

This amendment is an affront to the Equal Protection Clause of the 14th Amendment, as well as to the Takings Clause of the Fifth Amendment. These rights are fundamental constitutional rights that are unalienable for every American, not just those who happen to operate ski resorts.

Let's not take the Orwellian position that all Americans are equal, but some are more equal than others.

Mr. POLIS. Madam Chair, I yield 2½ minutes to the gentlelady from New Hampshire (Ms. KUSTER), a cosponsor of the amendment.

Ms. KUSTER. Madam Chairman, I first want to thank my friend, the gentleman from Colorado (Mr. POLIS) for his work on this issue and for leading this amendment.

I rise today in support of this substitute amendment that I am offering with Mr. POLIS and several colleagues in an effort to fix the issues with this legislation, but I wish I wasn't even here today to talk about this amendment. That is because this bill was originally introduced as a bipartisan bill to address a specific problem.

As we have seen all too often around here, the bill that is on the floor today doesn't look anything like it did when it was introduced. The bill that we are considering today wouldn't just address a water rights issue between ski areas and the Forest Service. It would go much further than that, impacting our national park system, wildlife refuges, hydropower relicenses, and so much more.

Where I come from, that doesn't make much sense. I came here to work with both parties to find common ground and to get things done. Instead of pushing partisan legislation that has no chance of becoming law, we should be working together on real solutions. That is why I joined Mr. POLIS to offer this substitute amendment.

What it will do is simple. It will narrow this bill so that it only addresses the issue between ski areas and the Forest Service. There is no need for this legislation to do anything more than that.

Let's pass the Polis amendment and start working together on commonsense policies to create jobs and opportunity for the middle class.

Again, I thank Mr. POLIS for his work on this issue.

Mr. HASTINGS of Washington. Madam Chairman, may I inquire as to how much time I have remaining?

The CHAIR. The gentleman from Washington has 4½ minutes remaining. The gentleman from Colorado has 2½ minutes remaining

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 2 minutes to the gentleman from Colorado (Mr. TIPTON), the sponsor of the underlying legislation.

Mr. TIPTON. Madam Chair, I thank the gentleman for yielding.

We continue to hear letters of support, ironically, out of my colleague from Colorado's home district. Eagle River Water and Sanitation District supports this legislation as we put it forward.

Colorado River Water Conservation District, Colorado Water Congress, National Cattlemen's Beef Association, and Family Farm Alliance support this bill.

When we look at the original incorporating legislation that my colleague and I introduced, it doesn't fit the narrow scope that they now want to talk about; so we do have to ask that question: Why are they so willing to be going to disregard farmers, ranchers, municipalities? Aren't they worthy of concern? I believe that they actually are.

We actually just received an email that came from the National Ski Association, which is dated March 12, supporting the bill with the Tipton manager's amendment. We are addressing their specific concern, but we aren't stopping there.

We think that that right to private property is inviolable, something that must be protected. If our friends want to say that farmers and ranchers and communities aren't worth protecting, we say they are.

That is what this legislation will do. We have worked with the minority. We have got a bipartisan piece of legislation that is standing up for those private property rights and to be able to assure that that constitutional right to receive just compensation that it is taking is actually preserved.

Madam Chair, I urge rejection of this amendment.

Mr. HASTINGS of Washington. Madam Chairman, I am prepared to close. I have the right to close, so I will reserve the balance of my time.

Mr. POLIS. Madam Chairman, I yield myself the balance of the time.

Ski area water rights are valuable assets that must be protected. Rather than disguise that in a catchall Republican job-killing water-grabbing bill, we have the opportunity through the Polis-DeGette-Perlmutter-DelBene-Kuster-Cartwright-Huffman amendment for this House to come together

around something that helps the economy grow in our ski resort areas across the country.

As so many times on issues of even greater importance, there is a fork in the road for this House, a decision to make, between the partisan-charged route of job-destroying Republican water-grabbing legislation or the opportunity to fix this bill and come together to make sure that our ski resort communities are secure in their water rights and can continue to justify their capital investments and grow. That is the choice we have with the Polis amendment.

This amendment improves the bill. It helps turn the bill from a controversial bill into something that I think the vast majority of this body can and will agree on.

The amendment ensures that any U.S. Forest Service directive will not condition ski area permits on the transfer of title of any water right or require any ski area permittee to acquire a water right in the name of the United States.

That is the issue from the directive on 2011 that gives us a reason to even have the bill; but instead of addressing that issue in a focused way, this bill has tried to essentially rewrite centuries of water law in a superficial 2-page bill that has the impact of destroying jobs in Colorado and other mountain resort communities across the country.

We can and we must do better—better for my district in Colorado. Many of the ski resort counties—like Pitkin County represented by Mr. TIPTON, and Eagle, Summit, and Grand Counties that I represent—that benefit directly from the ski resort economy have come out opposed to this bill because it actually hurts their economy rather than helps it.

If the very folks that this bill was supposedly written to help oppose this bill, what on Earth are we doing here?

Thankfully, we have an amendment right now that can fix this bill. We tried in committee, we tried through the manager's amendment, and now, we are trying on the floor. Let's do it. Let's fix the bill.

I urge my colleagues to support my amendment and, unless it is incorporated, oppose the underlying bill.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I yield myself the balance of the time.

I have to say, the debate on the underlying bill in this amendment I find rather interesting—no, maybe bizarre is better than that.

The issue here is whether we should protect the State's responsibility to write water law or allow the Federal Government to extort from private individuals that water. That is what the issue is all about here.

He had bipartisan support when the bill was heard in committee, but then it changed for some reason. Now, we have in front of us the Polis amendment, which would very narrowly put this protection only to ski areas and not to everybody else that has private property rights.

The consequences if this were to become law—which it is not going to, I am convinced, with this amendment—but the effect of this would be this: okay. Ski areas are protected this year. Next year, it will be a rancher that is abused, so we will come back, and we will write a law to protect the rancher.

Next, it will be a water conservation district someplace that will be affected because of the directive, so we will come back and fix that. Then it will be some municipality someplace that will be affected because they don't have water rights because it was extorted by the Federal Government, so we will have a fix for that.

Madam Chairman, there is a better way to do that. Let's just simply respect states' rights to regulate water law and to codify that with this language.

Finally, just let me make this observation. The effect of adopting this, as I mentioned in my opening statement, as it relates to tribal rights, what this amendment really does more than anything else is it puts ski resorts' water rights above tribal rights. That is really what the adoption of this amendment does.

So I would say that the underlying bill is a bill that is the responsibility of us as the legislative branch in this Congress. It deserves our support. This amendment does nothing to advance that at all and should be defeated.

I urge my colleagues to vote ''no,'' and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

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

Mr. POLIS. 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 Colorado will be postponed.

Mr. HASTINGS of Washington. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YODER) having assumed the chair, Ms. FOXX, 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. 3189) to prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture, had come to no resolution thereon.

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE TECHNICAL CORRECTIONS IN THE ENROLLMENT OF H.R. 3370

Mr. GRIMM. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 93

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (H.R. 3370) an Act to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

(1) In section 12—

(A) in the matter preceding the new subsection added by the amendment made by such section, strike '', as amended by the preceding provisions of this Act, is further'' and insert ''is''; and

(B) in the new subsection added by the amendment made by such section, strike ''(e)'' and insert ''(d)''.

(2) In section 14, before the closing quotation marks that immediately precede the period at the end insert ''and''.

(3) In section 30—

(A) in the matter that precedes paragraph (1), strike ''is'' and insert the following: '', as amended by section 27 of this Act, is further'';

(B) in paragraph (1)—

(i) in the matter that precedes subparagraph (A), strike ''subparagraph (B)'' and insert ''subparagraph (C)''; and

(ii) in subparagraph (A)—

(I) strike ''subparagraph (A)'' and insert ''subparagraph (B)''; and

(II) strike ''subparagraph (D)'' and insert ''subparagraph (E)'';

(C) in paragraph (2), strike ''and (C) as subparagraphs (D), (E), and (G)'' and insert ''(C), and (D) as subparagraphs (D), (E), (F), and (H)'';

(D) in paragraph (3), in the matter preceding the new subparagraphs inserted by the amendment made by such paragraph, strike ''subparagraph (B)'' and insert ''subparagraph (D)''; and

(E) in paragraph (4)—

(i) in the matter preceding the new subparagraph inserted by the amendment made by such paragraph, strike ''subparagraph (E)'' and insert ''subparagraph (F)''; and

(ii) in the new subparagraph inserted by the amendment made by such paragraph, strike ''(F)'' and insert ''(G)''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

FAITHFUL EXECUTION OF THE LAW ACT OF 2014

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 3973 will now resume.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the amendment offered

by the gentleman from Minnesota (Mr. ELLISON).

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 191, nays 227, not voting 13, as follows:

[Roll No. 127]

YEAS—191

Barber
Barrow (GA)
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Welch
Wilson (FL)
Yarmuth

NAYS—227

Aderholt
Amash
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—13

Amodei
Bachmann
Bass
Cantor
Dingell
Franks (AZ)
Gosar
McKeon
Rangel
Rush
Smith (WA)
Wagner
Waxman

□ 1642

Messrs. POSEY, MARCHANT, BUCSHON, RYAN of Wisconsin, and MAFFEI changed their vote from ''yea'' to ''nay.''

Mr. HIGGINS and Ms. LORETTA SANCHEZ of California changed their vote from ''nay'' to ''yea.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

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

MOTION TO RECOMMIT

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I am opposed to the bill.

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

The Clerk read as follows:

Ms. Michelle Lujan Grisham of New Mexico moves to recommit the bill H.R. 3973 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of the bill the following:

SEC. 3. PROTECTING NATIONAL SECURITY INFORMATION FROM FOREIGN ENEMIES AND SAVING TAXPAYER DOLLARS.

The amendments made by this Act do not apply to information that would expose critical national security and foreign policy legal, strategic, and tactical positions to terrorists, drug cartels, money launderers, or foreign enemies of the United States.

□ 1645

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico is recognized for 5 minutes in support of her motion.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, we have heard passionate arguments in support of and in opposition to this bill. We have heard Members argue that this bill is needed to prevent the Obama administration's overreach on issues such as immigration and health care.

Conversely, we have heard Members note that the Republican leadership has refused to pass comprehensive immigration reform, refused to raise the minimum wage, and refused to compromise on a budget until they had shut down the Federal Government. These Members argue that this has forced the President to act within his constitutional authority to faithfully execute the law.

That sharp rhetoric and disagreement is a result of the political realities that we find ourselves in today, and it reflects Congress's failure to work together and solve problems on behalf of the American people.

I oppose the underlying bill, but I more strongly oppose the gridlock that has consumed this Congress and is leading it to become the most unproductive Congress and uncompromising Congress in the history of the United States.

I believe that we can move past that today by coming together and supporting my amendment, which would address significant national security concerns raised by this legislation.

My amendment would ensure that the bill's requirement that the executive branch explain why it prioritizes resources would not impact or expose critical national security and foreign policy interests, positions, or strategies to terrorists, drug cartels, and foreign enemies of the United States.

Mr. Speaker, Sandia National Laboratories and Los Alamos National Laboratory are located in my home State of New Mexico. These laboratories ensure the safety, reliability, and effectiveness of the Nation's nuclear deterrent.

The experiments and tests that they conduct are at the cutting edge of science and human understanding. They work every day to study, analyze, solve, and prepare for emerging and potential national security threats, contingencies, and risks.

They help inform our Nation's defense and foreign policy decision-makers on how to confront the increasingly complex dangers that our Nation faces.

I am sure there is not one Member of this body that would want the sensitive national security work conducted at the National Laboratories and other government agencies to be revealed to terrorists, to drug cartels and foreign enemies. But that is the risk that all of us will bear if we pass this bill today with this current broad language.

This bill requires the Attorney General to monitor every executive branch agency and every Federal officer who issues a formal or informal policy that refrains from enforcing any Federal statute, rule, regulation, program or policy.

So let me say that again: it would require the Attorney General to monitor every Federal officer's alleged non-enforcement of any Federal statute, rule, regulation, program, or policy.

The language would include Federal officials who are making decisions on national security concerns and interests, based on information and assistance supplied, in many cases, by the national labs in my home State.

This could put the Attorney General in the dangerous position of choosing between keeping strategic foreign policy positions and information from foreign enemies, and complying with the requirements of this legislation.

This would, undoubtedly, lead to litigation, court cases, and appeals, costing the American government embarrassing legal battles and leaving taxpayers to foot the bill.

That time and money is better spent on the activity that these national security agencies are intended to conduct: providing for the safety of the American people.

It just doesn't make sense to impose costly reporting requirements on activities that could potentially hurt national security interests. You wouldn't require a general to reveal his strategy and tactics before he goes into battle.

Mr. Speaker, we came together just last week to pass an aid package for Ukraine to address national security concerns due to recent Russian aggression. We passed that bill on an overwhelmingly bipartisan basis. Leaders of both parties came together in solidarity.

We can do that again today with the adoption of this amendment, which ensures that nothing in this bill adversely impacts our Nation's security.

I want to be clear. The adoption of this amendment will not prevent the passage of the underlying bill. If adopted, it will be incorporated into the bill and will be immediately voted upon.

Although we may all disagree on the need for the underlying bill, we have an opportunity to stand united and support our Nation's vital policy and foreign policy goals.

I urge my colleagues to vote ''yes'' on this final amendment.

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

Mr. DESANTIS. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 5 minutes.

Mr. DESANTIS. Mr. Speaker, we have in this country a government of laws, not of men. The Congress passes laws, the President executes laws, and the courts adjudicate disputes under those laws.

One law on the books already requires the Attorney General to report to Congress when the executive branch suspends enforcement of a law due to constitutional concerns, and AGs ranging from Holder to Gonzalez have done this.

When the executive branch suspends execution of the law for other reasons, this same reporting requirement should apply, and, in fact, may even be more important on separation of powers grounds. This transparency will help Congress safeguard its constitutional authority, and will allow the American people to evaluate the actions of the executive branch.

Now, why is this necessary?

Yesterday's paper, The Wall Street Journal:

> Last week the administration quietly excused millions of people from the requirement to purchase health insurance or else pay a tax penalty.
>
> This latest political reconstruction has received zero media notice, and the Health and Human Services Department didn't think the details of this delay were worth discussing in a conference call, press materials, or fact sheet. Instead, the mandate suspension was buried in an unrelated rule that was meant to preserve some health plans that don't comply with ObamaCare benefits and redistribution mandates.

This is no way to run a government. Surely, this is not consistent with being the most transparent administration in history.

Now, some have said that the transparency requirements would be burdensome, but this raises the question, exactly how many laws is this administration suspending?

This bill can only be burdensome if the administration is consistently suspending duly enacted laws.

My question is: What is wrong with a little sunlight?

Now, I have not heard the President's defenders articulate a limiting principle regarding his actions. ''If Congress does not do what I want, I will do it anyway'' is not a limiting principle, and is not consistent with constitutional government.

Here is a limiting principle. U.S. Supreme Court, Kendall v. United States:

> To contend that the obligation imposed on the President to see the laws faithfully executed implies a power to forbid their execution is a novel construction of the Constitution, and is entirely inadmissible.

Now, news reports have detailed how the latest ObamaCare suspensions are tailored to help the President's party in the midterm elections. Now, this is not sufficient justification. Of course there is always going to be another election around the corner.

Once you do suspension to get to 2014, well, you are going to have 2016. Do you need to get Hillary across the finish line?

Then when a Republican President takes over, guess what? That President's supporters are going to say, hey, they suspended these provisions. Why don't you suspend the provisions that we don't like?

Pretty soon, you end up with Presidents of both parties picking and choosing what they want to enforce.

Here is the deal. Short-term political advantages and fleeting policy victories do not trump our duty to support and defend the Constitution. This is true whether the President is a Democrat or a Republican.

I would much rather lose out on my preferred policy outcomes and see my party lose an election while safeguarding our constitutional order, because it is, ultimately, that Constitution which does the most to protect our freedoms.

If we go down the road where Presidents of both parties simply enforce what is good for their party and disregard what is not, then we will no longer be a government of laws, but a government of men, and this institution will be forever diminished.

The Constitution delegates the Congress the power to make law, not to make suggestions. The Faithful Execution of the Law Act will help shine a light on executive branch failures to faithfully execute the laws of our land.

A vote for this bill is a vote for transparency, for the rule of law, and for constitutional government.

I urge my colleagues to vote ''no'' on this motion, and vote ''yes'' to pass this bill.

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

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

There was no objection.

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

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

RECORDED VOTE

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 225, not voting 14, as follows:

[Roll No. 128]

AYES—192

Barber
Barrow (GA)
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Welch
Wilson (FL)
Yarmuth

NOES—225

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

NOT VOTING—14

Amodei
Bachmann
Bass
Capito
Courtney
Dingell
Franks (AZ)
Gosar
McClintock
Rangel
Rush
Smith (WA)
Wagner
Waxman

□ 1702

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Mrs. CAPITO. Mr. Speaker, on roll-call No. 128 I was unavoidably detained. Had I been present, I would have voted ''no.''

(By unanimous consent, Mr. MEEHAN was allowed to speak out of order.)

CONGRESSIONAL HOCKEY CHALLENGE

Mr. MEEHAN. Mr. Speaker, I thank you for the opportunity to address our colleagues for 1 minute on behalf of the Congressional Hockey Caucus and our colleagues from both sides of the aisle who now, for the sixth year, have participated in what we call the Congressional Hockey Challenge.

This is the game for charity in which we have Members of Congress who play hockey and three of our friends from the Parliament in Canada, representing the lawmakers, play against a team of lobbyists. The game specifically supports hockey for children in underprivileged communities who would not otherwise have access to the game.

In addition, it has raised dollars for scholarships for children from underprivileged communities to go on to play hockey in college. This was the sixth annual game, and to date, we have raised over a $500,000 for that charity.

Let me just close with this observation. In addition to being able to play with our colleagues and the lobbyists, we were joined on each side by very, very special guests. They were members of the Wounded Warriors ice hockey team.

The lobbyist team was privileged to have retired Army reservist Joseph Bowser, who lost a leg in Iraq, playing on their team. Our side was joined by retired Army Captain Mark Little, who lost both legs in Iraq.

I might tell you that there is no more inspirational thing than to see the courage of two young men who have found hockey as a way to find continued aspiration and accomplishment.

I will close my observations by saying that the winning goal—and this was no giveaway. This was a remarkably competitive game. The winning goal was scored by Captain Mark Little.

So on behalf of my colleagues, I am pleased to report that the pride of the institution is intact. Congress won 7–5.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 244, noes 171, not voting 16, as follows:

[Roll No. 129]

AYES—244

Aderholt
Amash
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold

Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schneider
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—171

Beatty
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rohrabacher
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Welch
Wilson (FL)
Yarmuth

NOT VOTING—16

Amodei
Bachmann
Bass
Becerra
Courtney
Dingell
Franks (AZ)
Gosar
Hinojosa
Rangel
Richmond
Rush
Smith (WA)
Wagner
Waters
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1714

Mrs. CAROLYN B. MALONEY of New York changed her vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WATER RIGHTS PROTECTION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 515 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3189.

Will the gentleman from Florida (Mr. WEBSTER) kindly take the chair.

□ 1716

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 further consideration of the bill (H.R. 3189) to prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture, with Mr. WEBSTER of Florida (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 3 printed in part A of House Report 113–379 by the gentleman from Colorado (Mr. POLIS) had been postponed.

AMENDMENT NO. 3 OFFERED BY MR. POLIS

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on amendment No. 3 printed in part A of House Report 113–379 offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 236, not voting 20, as follows:

[Roll No. 130]

AYES—175

Beatty
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Crowley
Cummings
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Welch
Wilson (FL)
Yarmuth

NOES—236

Aderholt
Amash
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell

Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Carolyn
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—20

Amodei
Bachmann
Bass
Becerra
Courtney
Davis (CA)
Dingell
Franks (AZ)
Gosar
Gutiérrez
Hinojosa
Johnson (GA)
Rangel
Richmond
Rush
Scalise
Smith (WA)
Wagner
Waters
Waxman

□ 1720

Ms. DUCKWORTH changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. DAVIS of California. Mr. Chair, on roll-call No. 130, had I been present, I would have voted ''aye.''

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

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. WEBSTER of Florida, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3189) to prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture, and, pursuant to House Resolution 511, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Mrs. KIRKPATRICK. Mr. Speaker, I have a motion to recommit at the desk.

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

Mrs. KIRKPATRICK. I am opposed in its current form.

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

The Clerk read as follows:

Mrs. Kirkpatrick moves to recommit the bill H.R. 3189 to the Committee on Natural Resources with instructions to report the same back to the House forthwith, with the following amendment:

Page 3, line 7, strike ''The Secretary'' and insert the following: ''Unless necessary to—

''(1) protect Tribal treaty rights;

''(2) preserve recreational fishing;

''(3) mitigate drought conditions in an area covered by an emergency drought declaration; or

''(4) facilitate fire suppression;

the Secretary''.

The SPEAKER pro tempore. The gentlewoman from Arizona is recognized for 5 minutes.

Mrs. KIRKPATRICK. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill nor send it back to committee. If it is adopted, this bill will immediately proceed to final passage.

Water is a critical issue in Arizona and especially in my district. Water can be, also, a divisive issue. In Congress, we need to provide leadership and work together on long-term solutions that protect our water sources, communities, tribes, and local economies.

In particular, I believe this bill needs language added to strengthen the rights of our tribal governments. Arizona's District 1 is over 90 percent public lands. It contains several important waterways, national forests, and recreation areas, and it has 12 Native American tribes.

In my previous term, I introduced the White Mountain Apache Tribe Water Quantification Act, which was signed into law. It was a historic agreement that created jobs, protected tribal water rights, and established reliable water sources for many of Arizona's communities.

As this legislation moves forward, I want to ensure that we protect the following priorities: our tribal communities, our fishing and sportsmen, our drought mitigation efforts, and our ability to fight wildfires. And we need to manage water rights and land-use permits in a balanced way. We can do this in a way that respects tribes, preserves recreation, and protects our communities from droughts and wildfires that have already caused so much devastation in Western States. In my view, these issues should be our priorities.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, the underlying bill does one thing and one thing only: it stops the Federal Government from extorting water rights from private citizens and businesses without just compensation. That is what the underlying bill does.

But, Mr. Speaker, I have to tell you that there seems to be a common thread here over the last several weeks—maybe even a year—on the differences of governance between the two parties, between this side of the aisle and that side of the aisle.

The reason why this is important as it relates to water law is simply because water law has always been the province of the States. There have been Federal courts that have said that over and over and over. Yet, when we come to the floor here, we hear constantly from the other side that there should be conditions on certain rights. This falls into that category.

The debate we had on the floor earlier was that there is acknowledgment that the Federal Government was taking water rights as a condition for permits. Their answer from that side of the aisle was, well, let's let the process go; our side was, let's respect the law. Big difference.

So now we have this motion to recommit, and if you look at the motion to recommit, it conditions, again, State water law. I think the best way that we should approach these debates is to say that we trust the people and we trust the Federal system, and the Federal system as it relates to water

law is that States' water law is premier. This motion to recommit is another attempt—another attempt—to qualify that, to give the Federal Government more authority.

I urge my colleagues to say ''no'' to the motion to recommit and pass the underlying bill to protect states' rights and water law.

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

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

There was no objection.

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

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

RECORDED VOTE

Mrs. KIRKPATRICK. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 183, noes 227, not voting 21, as follows:

[Roll No. 131]

AYES—183

Barber
Barrow (GA)
Beatty
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Welch
Wilson (FL)
Yarmuth

NOES—227

Aderholt
Amash
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—21

Amodei
Bachmann
Bass
Becerra
Cassidy
Courtney
Dingell
Franks (AZ)
Gosar
Grimm
Gutiérrez
Hinojosa
McIntyre
Mulvaney
Rangel
Richmond
Rush
Smith (WA)
Wagner
Waters
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1735

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. McINTYRE. Mr. Speaker, on rollcall No. 131 I was unavoidably detained at the physician's office. Had I been present, I would have voted "yes."

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

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

RECORDED VOTE

Mrs. NAPOLITANO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 238, noes 174, not voting 19, as follows:

[Roll No. 132]

AYES—238

Aderholt
Amash
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby

Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—174

Beatty
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Matsui
McCarthy (NY)
McCollum
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Amodei
Bachmann
Bass
Becerra
Castor (FL)
Courtney
Dingell
Franks (AZ)
Gosar
Gutiérrez
Hinojosa
McDermott
Mulvaney
Rangel
Rush
Sherman
Smith (WA)
Wagner
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1741

Messrs. LOWENTHAL, NOLAN, and POCAN changed their vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture.''.

A motion to reconsider was laid on the table.

Stated against:

Mr. SHERMAN. Mr. Speaker, on rollcall No. 132, had I been present, I would have voted "no."

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. KILDEE. Mr. Speaker, pursuant to rule IX, I rise in regard to a question of the privileges of the House.

The form of the resolution is as follows:

Whereas on March 5, 2014, during a hearing before the House Committee on Oversight and Government Reform, Committee Chairman DARRELL E. ISSA gave a statement and then posed ten questions to former Internal Revenue Service official Lois Lerner, who stated that she was invoking her Fifth Amendment right not to testify;

Whereas the committee's ranking member, Representative ELIJAH E. CUMMINGS, clearly sought recognition to take his turn for questions under committee and House rules;

Whereas Chairman ISSA then unilaterally adjourned the hearing and refused to allow him to make any statement or ask any questions;

Whereas Ranking Member CUMMINGS protested immediately, stating: ''Mr. Chairman, you cannot run a committee like this. You just cannot——''

The SPEAKER pro tempore. The gentleman will suspend.

The Chair is going to ask, in the name of decorum of the House, that Members not display their electronic devices. It is a violation of the House rules. Regular order would be putting the iPads down. The House will not proceed until there is decorum in the House.

The gentleman will suspend. Proceedings will not resume until there is decorum in the House.

□ 1745

PARLIAMENTARY INQUIRY

Mr. HASTINGS of Florida. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HASTINGS of Florida. Mr. Speaker, where is it specifically in the rule stated that Members cannot display their iPads? What rule is it?

The SPEAKER pro tempore. Under the precedents of the House, Members are not allowed to stage an exhibition. The Chair has ruled based on the precedents of the House.

The Chair asks that Members not display their iPhones and iPads.

Mr. KILDEE. Mr. Speaker, may I proceed?

Mr. Speaker, the Members have removed their iPads. May I proceed?

The SPEAKER pro tempore. When decorum has been restored, the gentleman may proceed.

Only a Member under recognition for debate can display an exhibit.

Mr. KILDEE. For the purposes of display, this is what the Members have been holding.

May I proceed?

The SPEAKER pro tempore. The gentleman may proceed.

Mr. KILDEE. Whereas Ranking Member CUMMINGS protested immediately, stating: ''Mr. Chairman, you cannot run a committee like this. You just cannot do this. This is, we are better than that as a country, we are better than that as a committee.'';

Whereas Chairman ISSA then returned and allowed Ranking Member CUMMINGS to begin his statement, but when it became clear that Chairman ISSA did not want to hear what Ranking Member CUMMINGS was saying, turned off Ranking Member CUMMINGS' microphone, ordered Republican staff to ''close it down,'' and repeatedly signaled to end the hearing with his hand across his neck;

Whereas Ranking Member CUMMINGS objected again, stating: ''You cannot have a one-sided investigation. There is absolutely something wrong with that.'';

Whereas Chairman ISSA made a statement of his own and posed questions during the hearing, but refused to allow other members of the committee, and in particular, the ranking member, who had sought recognition, to make statements under the 5-minute rule in violation of House rule XI;

Whereas Chairman ISSA instructed the microphones be turned off and adjourned the hearing without a vote or a unanimous consent agreement in violation of rule XVI because he did not want to permit Ranking Member CUMMINGS to speak;

Whereas Chairman ISSA's abusive behavior on March 5 is part of a continuing pattern in which he has routinely excluded members of the committee from investigative meetings, has turned off Members' microphones while they were questioning a witness, attempted to prevent witnesses from answering questions, and has provided information to the press before sharing it with committee members;

Whereas on July 18, 2003, former Chairman of the Ways and Means Committee, Bill Thomas, asked the United States Capitol Police to remove minority members of the committee from the library where they were having a discussion about a pending committee

markup, and subsequently came to the well of the U.S. House of Representatives to publicly apologize for his belligerent behavior;

Whereas Chairman ISSA has violated clause 1 of rule XXIII of the Code of Official Conduct which states that ''A Member, Delegate, Resident Commissioner, officer or employee of the House shall behave at all times in a manner that shall reflect creditably on the House'': Now, therefore, be it

Resolved, That the House of Representatives strongly condemns the offensive and disrespectful manner in which Chairman DARRELL E. ISSA conducted the hearing of the House Committee on Oversight and Government Reform on March 5, 2014, and requires that he come to the well of the House to issue a public apology to Members of the House.

That concludes the reading of the resolution.

The SPEAKER pro tempore. The gentleman from Michigan is recognized to offer the resolution.

Does the gentleman offer the resolution?

Mr. KILDEE. Yes.

The SPEAKER pro tempore. The Clerk will report the resolution.

The text of resolution is as follows:

PRIVILEGED RESOLUTION AGAINST THE OFFENSIVE ACTIONS OF CHAIRMAN DARRELL E. ISSA

Whereas on March 5, 2014, during a hearing before the House Committee on Oversight and Government Reform, Committee Chairman Darrell E. Issa gave a statement and then posed ten questions to former Internal Revenue Service official Lois Lerner, who stated that she was invoking her Fifth Amendment right not to testify;

Whereas the committee's ranking member, Rep. Elijah E. Cummings, clearly sought recognition to take his turn for questions under committee and House rules;

Whereas, Chairman Issa then unilaterally adjourned the hearing and refused to allow him to make any statement or ask any questions;

Whereas Ranking Member Cummings protested immediately, stating: ''Mr. Chairman, you cannot run a committee like this. You just cannot do this. This is, we are better than that as a country, we are better than that as a committee.''

Whereas, Chairman Issa then returned and allowed Ranking Member Cummings to begin his statement, but when it became clear that Chairman Issa did not want to hear what Ranking Member Cummings was saying, turned off Ranking Member Cummings' microphone, ordered Republican staff to ''close it down,'' and repeatedly signaled to end the hearing with his hand across his neck;

Whereas Ranking Member Cummings objected again, stating: ''You cannot have a one-sided investigation. There is absolutely something wrong with that.'';

Whereas Chairman Issa made a statement of his own and posed questions during the hearing, but refused to allow other members of the commmittee, and in particular, the ranking member, who had sought recognition, to make statements under the 5-minute rule in violation of House rule XI;

Whereas Chairman Issa instructed the microphones be turned off and adjourned the hearing without a vote or a unanimous consent agreement in violation of rule XVI because he did not want to permit Ranking Member Cummings to speak;

Whereas Chairman Issa's abusive behavior on March 5 is part of a continuing pattern in which he has routinely excluded members of the committee from investigative meetings, has turned off Members' microphones while they were questioning a witness, attempted to prevent witnesses from answering questions, and has provided information to the press before sharing it with committee members;

Whereas on July 18, 2003, former Chairman of the Ways and Means Committee, Bill Thomas asked the United States Capitol Police to remove minority members of the committee from the library where they were having a discussion about a pending committee mark up, and subsequently came to the well of the U.S. House of Representatives to publicly apologize for his belligerent behavior;

Whereas Chairman Issa has violated-clause 1 rule XXIII of the Code of Official Conduct which states that ''A Member, Delegate, Resident Commissioner, officer or employee of the House shall behave at all times in a manner that shall reflect creditably on the House'': Now, therefore, be it

Resolved, That the House of Representatives strongly condemns the offensive and disrespectful manner in which Chairman Darrell E. Issa conducted the hearing of the House Committee on Oversight and Government Reform on March 5, 2014, and requires that he come to the well of the House to issue a public apology to Members of the House.

The SPEAKER pro tempore. The resolution qualifies.

Mr. CANTOR. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to lay the resolution on the table.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 173, answered ''present'' 10, not voting 31, as follows:

[Roll No. 133]

AYES—217

Aderholt
Amash
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (PA)
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—173

Barrow (GA)
Beatty
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Crowley
Cuellar
Cummings
DeFazio
DeGette
DeLauro
DelBene
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters (MI)
Peterson
Pocan
Polis
Price (NC)
Quigley
Richmond
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko

Tsongas	Visclosky	Wilson (FL)
Van Hollen	Walz	Yarmuth
Veasey	Wasserman Schultz	
Vela	Waters	
Velázquez		

ANSWERED ''PRESENT''—10

Brooks (IN)	Dent	Meehan
Capuano	Deutch	Sánchez, Linda T.
Clarke (NY)	Gowdy	
Conaway	Issa	

NOT VOTING—31

Amodei	Gosar	Ruiz
Bachmann	Gutiérrez	Rush
Barber	Hensarling	Scott, David
Bass	Hinojosa	Smith (WA)
Becerra	Mulvaney	Vargas
Courtney	Noem	Wagner
Davis (CA)	Pastor (AZ)	Waxman
Davis, Danny	Peters (CA)	Welch
Delaney	Pingree (ME)	Whitfield
Dingell	Rangel	
Franks (AZ)	Ribble	

□ 1810

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NOEM. Mr. Speaker, on rollcall vote No. 133, I was unavoidably detained. Had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

Mrs. WAGNER. Mr. Speaker, on Thursday, March 13, 2014 I was unable to be in Washington, D.C. and vote on the legislative business of the day.

On Ordering the Previous Question for consideration of H. Res. 515, a resolution providing for consideration of both H.R. 3189, Water Rights Protection Act and H.R. 4015, SGR Repeal and Medicare Provider Payment Modernization Act of 2014, rollcall vote No. 125, had I been present I would have voted ''yes.''

On Adoption of H. Res. 515, a resolution providing for consideration of both H.R. 3189, Water Rights Protection Act and H.R. 4015, SGR Repeal and Medicare Provider Payment Modernization Act of 2014, rollcall vote No. 126, had I been present I would have voted ''yes.''

On Agreeing to the Ellison of Minnesota Amendment No. 1 to H.R. 3973, Faithful Execution of the Law Act of 2014, rollcall vote No. 127, had I been present I would have voted ''no.''

On the Motion to Recommit with Instructions H.R. 3973, Faithful Execution of the Law Act of 2014, rollcall vote No. 128, had I been present I would have voted ''no.''

On Passage of H.R. 3973, Faithful Execution of the Law Act of 2014, rollcall vote No. 129, had I been present, I would have voted ''yes.''

On Agreeing to the Polis of Colorado Substitute Amendment No. 3 to H.R. 3189, Water Rights Protection Act, rollcall vote No. 130, had I been present I would have voted ''no.''

On the Motion to Recommit with Instructions H.R. 3189, Water Rights Protection Act, rollcall vote No. 131, had I been present I would have voted ''no.''

On Passage of H.R. 3189, Water Rights Protection Act, rollcall vote No. 132, had I been present I would have voted ''yes.''

On the Motion to Table the Question of the Privileges of the House, rollcall vote No. 133, had I been present, I would have voted ''yes.''

APPOINTMENT OF MEMBER TO THE BOARD OF VISITORS TO THE UNITED STATES NAVAL ACADEMY

The SPEAKER pro tempore (Mr. BENTIVOLIO). The Chair announces the Speaker's appointment, pursuant to 10 U.S.C. 6968(a), and the order of the House of January 3, 2013, of the following Member on the part of the House to the Board of Visitors to the United States Naval Academy:

Mr. THOMAS J. ROONEY, Florida

BOB MURRAY

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor the life of a respected community leader and a great friend to so many in central Illinois.

On February 26, longtime broadcaster, weatherman, and radio host Bob Murray lost his battle to brain cancer at the age of 66.

Throughout his career, Bob took his work incredibly seriously. He used to be my weatherman. I would watch on TV while growing up, but in his later life, he was a radio broadcaster. He arrived at the radio station at 1:30 in the morning to prepare for the day because he felt an informed community was important—from community fundraisers, to what was happening with government, to the weather, and to the breaking local news.

I had the privilege of being interviewed by Bob dozens of times over the last 18 months, and I can tell you without a doubt that he was one of the most honest, respectful, and professional members of the media I have ever met.

Bob's family is honoring his life by having memorials made to the Illinois News Broadcasters Association Foundation for a scholarship to be awarded in his name. I can't think of a better way to ensure that he is remembered for years to come.

So thank you, Bob Murray, for the years of service you provided to the families in central Illinois.

Thank you to Bob's family for sharing him with us for more than 40 years and for allowing him to become a part of our family.

DON'T CUT OUR MILITARY

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

Mr. POE of Texas. Mr. Speaker, last night, I held a telephone town hall and called almost 60,000 homes back in Texas. I heard from southeast Texans about a lot of things that were on their minds, but the number one concern I heard about was cuts to the military.

Mr. Speaker, one citizen said to me: We, the United States, were not prepared militarily for World War II. Why are we doing the same thing now? We need to be increasing, not decreasing, our military capabilities.

I even took a poll and asked those who were listening in on the call: Do you think we should reduce our military? An overwhelming 85 percent of the people on the call said: No.

Mr. Speaker, our men and women in the military should be the last thing we cut from the Federal budget. The world is getting more and more dangerous as time goes on. We should not lose sight of the enemies we face. Both countries and terrorists who wish to do us harm still exist. Our military is the best in the world—and we must make sure it stays that way.

And that's just the way it is.

□ 1815

CHILDREN'S BUDGET

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

Ms. JACKSON LEE. Mr. Speaker, this happens to be Women's History Month. I will continue to salute the dynamic women of this Nation.

I rise today as a founder and cochair of the Congressional Children's Caucus and indicate to my colleagues that I believe we are overdue for naming children as our number one priority. Working with First Focus, I intend to introduce a children's budget for the needs of our children. We have left children behind. Many times, the issues around children are discussed in a partisan way. Who wants early childhood education? Who wants universal pre-K or around-the-clock child care?

In actuality, the consumers and beneficiaries of funding for those very important issues are our children. We should give them the security, protection, and resources to prevent child abuse and for bringing families together and providing intervention for families that are troubled that result in not only child abuse, but violence against these children.

What about the best education they can have? What about the best health care they can have?

Mr. Speaker, children are our number one priority. I truly believe that a children's budget in the United States of America is long overdue.

Join me on the children's budget.

MESSAGE FROM THE SENATE

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

H.R. 3370. An act to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1086. An act to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

S. 2137. An act to ensure that holders of flood insurance policies under the National Flood Insurance Program do not receive premium refunds for coverage of second homes.

PROGRESSIVE CAUCUS

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

Mr. POCAN. Mr. Speaker, I am glad to be here on behalf of the Progressive Caucus today for the Progressive Caucus Special Order hour. We want to talk about the need to extend unemployment benefits in this country.

Since the end of December, millions of Americans have lost their extended unemployment benefits and are struggling just to get by in this economy.

We have had two really positive developments this week. One, the House Democrats have an initiative, led by Representative BRAD SCHNEIDER of Illinois, to do a discharge petition, which is a procedural motion to force the leadership of this body to let us vote on extending unemployment benefits, which it refuses to do.

We have to get 218 signatures—a majority of the House—to sign the discharge petition. If that happens, we can force a vote and make sure that people who have lost their benefits since the end of December get their benefits.

That is the first important thing that has happened.

The second important thing is, today, just this afternoon, it was announced there is a bipartisan agreement in the Senate by several senators to make sure that we can extend benefits through the month of May of this year.

We need to do everything possible not only to make sure that the Senate passes that, but to make sure that this House takes up that action. Because if we don't, millions of people—and many more every single week—will not get access to unemployment benefits.

So the Progressive Caucus is here today to highlight this issue and to raise awareness and explain why it is so important that we pass these benefits—and we pass them now—on behalf of the millions of people in this country that need those.

I am joined by several of my colleagues here today. I would like to make sure that they have a chance to talk about the unique situations in their area and why this is so important.

I would first like to yield to my colleague from the great State of Oregon, Representative SUZANNE BONAMICI.

Ms. BONAMICI. Thank you very much, Congressman POCAN. Thank you for leading this discussion. The discussion about extending the emergency unemployment compensation program is such an important topic.

Last week, the country marked a troubling milestone. The number of Americans who lost their emergency unemployment insurance hit 2 million. Thousands more will lose this lifeline every week if we do not extend this critical benefit.

The impact of losing unemployment benefits is immediate and devastating to our constituents. I recently spoke to a constituent in Oregon who was laid off from a large employer in my district. His unemployment benefits ended early this year when the program was cut off. Since then, unfortunately, things have gone from bad to worse. He has been in his home for about 10 years, and now he is in default because he cannot pay his mortgage.

I want to thank our colleague, Congressman MATT CARTWRIGHT, for leading the effort to provide my constituents and yours the opportunity to get a bit of relief. He is sponsoring the Stop Foreclosures Due to Congressional Dysfunction Act. That would put a 6-month moratorium on foreclosures of Federally-backed mortgages for individuals who have exhausted their unemployment benefits.

I have to say this is the least that we can do for our constituents who are still suffering because this House refuses to allow an ''up-or-down'' vote on extending unemployment compensation.

My constituent is actively looking for work. He continues to look for work. But he keeps getting passed over for jobs. They are being filled by employers who seem to be looking for younger, maybe less expensive workers.

He is one of many constituents across the country. What he and other constituents like him tell me is that it is particularly difficult for the more mature job seekers to find work, even though they have decades of productive experience.

His efforts to find work haven't stopped. And I have to emphasize this: the unemployment benefits that he was getting weren't making him lazy. They were allowing him to survive. But instead of giving him the resources he needs to help lift him up and out of this situation, we are abandoning him and constituents across the country when they really need that lifeline.

We need to extend this lifeline while we are tackling the problems of long-term unemployment in this country. The long-term unemployed need better access to job training; workforce development programs; resources; programs to engage employers and help connect the long-term unemployed, particularly older workers, with suitable employment.

All Americans must realize that being among the long-term unemployed does not diminish one's abilities, value, or potential contribution to the workforce and the economy. I want to emphasize that point, because when I had a roundtable discussion in my district, there were several constituents there who were unemployed. They get down and concerned that they aren't worthy. We wanted to emphasize to them, You are worthy. Keep looking. You can find work.

We should be extending this lifeline.

My home State of Oregon has been a bright spot in the midst of the recovery. In January, Oregon recorded its lowest unemployment rate since 2008. There is a recent report that shows that Oregon added more than 43,000 jobs last year—that is great news—adding to the unemployment base by 2.6 percent.

Unfortunately, the economic improvement provides little relief for the still about 30,000 long-term unemployed Oregonians who have lost these benefits over the last 2 months and are still struggling to reenter the workforce.

They need these resources to have a car to get to job interviews, to have a cell phone.

As the economy continues to recover, we must stimulate it, not stifle it. The Emergency Unemployment Compensation program doesn't just help the millions of Americans who are struggling to get by every day, it provides an economic boost.

When people get these benefits, they aren't saving this money. They put the benefits right back into the economy. While they look for work they use the unemployment benefits to pay their mortgages, to buy groceries, to keep the lights on.

We shouldn't be arguing over extending this lifeline to millions of hard-working Americans. I was glad to hear the news that the Senate has a bipartisan proposal. I hope they pass that and get it over to us right away.

Yesterday, I joined many other of our colleagues in signing the discharge petition calling for a vote to extend emergency unemployment. There is no better cause than helping the hard-working members of our country who desperately want to go back to work.

Thank you again, Representative POCAN, for organizing this hour. I hope that we can draw the attention of the Nation, but especially of our colleagues, about the effects of ending the benefit.

I urge our colleagues on the other side of the aisle and in leadership to reconsider this and put it up for a vote so we can help our constituents who are looking for work, trying to get back to work, and need that lifeline.

Thank you again, Representative POCAN, for leading this important discussion

Mr. POCAN. Thank you, Representative BONAMICI. I am sorry to hear about your constituent losing housing.

For the State of the Union in this very Chamber, I brought a constituent of mine who had lost their benefits. Rather than be foreclosed on, they put their home up for sale. They are still looking for work.

It is a situation happening all too often. There is an article in today's Huffington Post talking about the

number of people who are being evicted because they can no longer pay their rent or mortgage simply because of the loss of benefits.

Thank you for sharing that story, and thank you for your work on behalf of Oregon.

I would also like to yield to my colleague from California, Representative JARED HUFFMAN, who would like to talk a little bit about the problem of extending unemployment benefits.

Representative HUFFMAN.

Mr. HUFFMAN. I want to thank the gentleman from Wisconsin for your leadership in organizing this hour of debate on such an important subject. I certainly want to lend my voice to the voices of my colleagues on this important matter.

What we are asking for is very simple. We simply want an immediate ''up-or-down'' vote on whether to extend these Federal long-term unemployment insurance benefits. We are asking that because I think in all of our districts we see that too many of our constituents are unnecessarily suffering from Congress' failure to act. We owe it to our neighbors and their families—people who lost their jobs through no fault of their own, people who want to work, who continually are searching for work—we owe it to them to provide the support they need to get back on their feet.

In my own home State of California, we have got over 339,000 Californians who have lost unemployment benefits. The number continues to grow the longer Congress waits, the longer we fail to act.

California's currently got an unemployment rate of about 8.3 percent, but in many parts of my district—I include some rural areas—that rate is much higher. In fact, in Trinity County we have an unemployment rate that is over 11 percent.

It is very important to remember that this is not an abstract issue. This is an immediate and deeply personal issue about real people and real struggles. Since the Federal benefits expired in December of last year, I have received thousands of emails and phone calls from my constituents asking for Congress to wake up and take action.

One of them very recently is a great example. It is from Lisa in Eureka. She wrote to me:

> I have been on unemployment for just over 6 months now and I am not able to make my mortgage payment. I am a worker, not a lazy bum. I want to work, and I am still looking and hopeful. But in the meantime, I can't live without a little help from unemployment.

That is very typical of the kind of feedback and pleas that I am hearing and that I know you, Mr. POCAN, and many of us are hearing from hard-working folks in our district every single day.

So, again, I think it is important to emphasize this is not a handout. This is about offering a hand up to real people during a difficult time. Without the extension of this crucial lifeline, 181,000 children in California—let's remember the impact on families and children—will be hurt.

No one should be forced to make the unbearable choice between paying their rent and feeding their family simply because they lost their job due to no fault of their own. Extending these benefits should not remain a casualty to congressional gridlock.

Just today, we got some great news. I think we are all encouraged that Democrats and Republicans in the Senate are working together on a tentative agreement to extend unemployment insurance benefits for 5 months—an agreement that, as I understand it, would provide retroactive payments to people like Lisa in my district.

So, Mr. Speaker, let's help the economy. Let's help our constituents who are looking for work. This House should follow the Senate's lead and work together to find a solution.

Again, I thank the gentleman from Wisconsin.

□ 1830

Mr. POCAN. Thank you, Representative HUFFMAN, for all the work on behalf of your constituents in northern California. I appreciate your words and sharing the story of your constituent.

Again, 72,000 people every single week will lose benefits until this Congress acts, real people in California, Oregon, and real people in the State of Illinois.

Next it is my privilege to yield time to the gentleman from Illinois (Mr. SCHNEIDER), the person who led the initiative on behalf of the House Democrats, led the initiative to discharge the bill so that we could force a vote in this House to ensure that everyone across the country and in the State of Illinois can get the benefits they need so they can continue to get by to find work.

Mr. SCHNEIDER. Thank you again, Congressman POCAN, not just for your friendship, but tonight for organizing and bringing us here to have this conversation.

For us in Illinois and Wisconsin, throughout the country it has been a harsh winter. Everyone has talked about the weather and the snow and the storms, but for some it has been a harsher winter than for others.

In January, I hosted a roundtable on unemployment, long-term unemployment. At that roundtable I met a young mother, 29 years old, with two young children, and she told me how, at the end of the day, she comes home, she makes dinner for her kids, and they crawl into bed under the covers to eat dinner and watch TV because she had to make the choice between paying her rent and paying her heat.

I met another woman who has been looking for work now for over a year. Her story was a little different. She was in an industry, travel agency, that is shrinking. She has two kids, high school age, who are looking forward to going to college, and she is now in the position of having to deplete the kids' college accounts so that they can simply make ends meet as she looks for work.

This is the reality for 2 million people around the country, and the numbers, as you have pointed out, grow by 72,000 people every single week. In Illinois alone, there are more than 116,000 people who have lost their unemployment insurance and are struggling just to survive.

Yet, in this Chamber, in this House of Representatives, we have not had a single vote to extend or address the unemployment insurance challenge. Partisan gridlock, partisanship and gridlock have already cost millions their emergency unemployment insurance, and the next year it is estimated that it will cost the U.S. economy 240,000 jobs.

Failing to extend unemployment insurance is hurting families, it is hurting businesses, it is hurting our communities, and it is hurting our national economy. That is why yesterday I filed this discharge petition to end the gridlock and to bring to the floor a vote on extending unemployment insurance.

Now, look, I understand some of my colleagues may disagree, and I respect their perspective and I respect their right to vote ''no,'' but not allowing a vote on the floor, not allowing us to voice our vote in this House of Representatives on unemployment insurance is simply unacceptable.

I believe extending unemployment insurance is not just smart policy, it is the right thing to do. That is why I celebrate the passage, or the agreement in the Senate, bipartisan agreement, to extend unemployment insurance by 5 months. I look forward for that to come into this House, and I hope we will have a chance to vote to it.

I know the path ahead is not going to be easy, but our constituents deserve better than partisan gridlock.

Thank you for sharing your time, and thank you for organizing this evening. Thank you so much.

Mr. POCAN. Thank you, Representative SCHNEIDER. Your efforts for this body, leading the House Democrats on that discharge position—we didn't know today the Senate was going to come up with something that may pass and may be able to get through this House. But your leadership made sure that those over 110,000 people in Illinois, and each and every week more people adding to that, can get those benefits.

So thank you for your efforts. We hope that we can force this House to have us vote to extend unemployment benefits.

Mr. SCHNEIDER. I hope it happens soon. Thank you.

Mr. POCAN. I would now like to yield to the gentlewoman from Massachusetts (Ms. CLARK), one of the newest Members of the House.

Ms. CLARK of Massachusetts. Thank you, Mr. POCAN, for your leadership on

this critical issue. I also want to thank the gentleman from Illinois for all he has done to try and bring this vote to the floor.

A majority of Americans support renewing unemployment insurance, but the majority here in the House continue to show that they are out of step with American families by refusing to extend unemployment insurance for the 2 million Americans who need it, and the families of my home district in Massachusetts are left to suffer because of it.

This out-of-touch majority has invested billions of dollars in tax breaks for the ultra-rich and for wealthy corporations that have often shipped our jobs overseas. Yet, they are refusing to help those who are looking for work, our job-seekers who are struggling to care for their families and put food on the table.

I cringe when I hear some of the Members of the majority blame poverty on the poor, and then vote to give tax breaks for the wealthy. It is the same majority that looks to slash the budget and put that burden on the backs of our children and seniors.

Some have said that Democrats want to give children a full stomach and an empty soul, but I would say, people who would deny a hungry child lunch, they are the ones who need to worry about the condition of their soul.

In Massachusetts, more than $100 million has been taken out of our economy as Congress has failed to act on this issue. I signed the discharge petition to force a vote on unemployment insurance on behalf of the nearly 80,000 workers in Massachusetts who have lost their unemployment benefits. They cannot afford to wait for the majority to catch up with the rest of the country, who know this is the right thing to do.

Again, I thank the gentleman from Wisconsin for this opportunity, and I thank you for your work.

Mr. POCAN. Thank you so much. You deserve a lot of credit for hitting the ground running in Congress. Thank you so much for representing the people of Massachusetts so very ably and defending the unemployment benefits that we need to extend.

This is something that—the Progressive Caucus, earlier this week, released our budget, and our budget is the Better Off Budget, to make sure that people are better off, their families, they have access to opportunity for their families.

That budget offered extending the benefits to the full 99 weeks. So the Progressive Caucus was there from the very beginning to make sure that we can get these benefits extended for every single American, the 2 million Americans, including 40,000 people in the State of Wisconsin, that they can get these benefits.

We are very proud that the Progressive Caucus looked at this as a priority, and that is why so many Members tonight were here to discuss it.

It is interesting, I am going to read a couple of quotes from people that you wouldn't expect to hear coming out of the Progressive Caucus.

One is a quote from someone back in 1983, someone that often gets quoted in this Chamber, but usually by people on the other side of the aisle, former President Ronald Reagan. His quote was: ''Unemployment insurance is a lifeline that extends to millions of Americans.'' A lifeline. That is Ronald Reagan saying that unemployment insurance is a lifeline to the Americans who need it. He got it, in 1983.

Now, let me read another quote. In the year 2002, another person that people on this side of the aisle don't quote too often, former President George W. Bush, this is what he said: ''These Americans rely on their unemployment benefits. They need our assistance in these difficult times, and we cannot let them down.''

We cannot let them down. That is from President George W. Bush. These are two Republican leaders who understood that unemployment compensation is not a political toy.

It is not something about brinksmanship. It is the demand that we need to make sure that people who pay into the system, who have worked hard and played by the rules all their lives, have that lifeline when they need it because they have put in their dues. They have worked hard, and now, through no fault of their own, they are out of work and looking for work. We should be able to extend those benefits. So that is exactly what we are here to talk about tonight.

Forty thousand people in my home State of Wisconsin, and more every week, are losing their benefits because this Congress has refused to act up to now.

Now, they still can either act through the discharge petition the Democrats have put forth, they can sign the discharge petition to make sure we can get a vote in this body, or we can hope that the Senate does pass this bipartisan deal just from this afternoon, come to this House, and see that we do the right thing here and extend the benefits so that 72,000 people each and every week don't continue to lose their benefits.

This costs the economy. It was mentioned earlier, but it has been estimated, just in January and February alone, we have cost the economy $3 billion by not extending these benefits, and that is more than $51 million in my home State of Wisconsin, just during the months of January and February.

Folks, we need to make sure these benefits are passed, not just for the families struggling, but for our economy that is also struggling. We are coming back, but we can't keep putting roadblocks in front of our economy, things like this, that stop unemployment benefits for all too many Americans.

Now, it also is estimated that this will cost the economy 240,000 jobs this year alone by not extending the benefits, 240,000 jobs.

So here we are trying to bring the economy back, and by not doing the right thing, by not extending the unemployment benefits, we are going to cost 240,000 jobs in this country, on top of the people now who don't have benefits.

Now, you heard some stories tonight from people who talked about constituents, telling their very real stories about what this means to them.

Well, let me tell you about a constituent I had who came in this very body, and I quickly referenced it before: Brian Krueger of Mount Horeb, a hardworking person, a steamfitter.

As we know, the construction industry, when the economy gets a cold, the construction industry gets pneumonia. That is just the way it happens. It dries up even more. So people aren't back to work yet in this industry.

This is a hardworking person who was working as a steamfitter, trying to find work. His benefits were cut off at the end of December, and he is struggling to get by, looking for work each and every single day.

He even put his home up for sale so that it wouldn't be foreclosed on, just as he is trying get by, someone who has played by the rules and worked hard each and every single day.

Today there is an article in the Huffington Post, Mr. Speaker, and I am going to read a little bit from that. The headline was: ''Some Jobless Facing Eviction After Loss of Benefits.''

These are the very real stories that you were just hearing a little bit earlier tonight. Let me tell some more of these stories, and I am going to read directly from The Huffington Post article:

> Craig Bruce, 45, told The Huffington Post that he and his wife were evicted Tuesday from their apartment in California. He said they're fighting the eviction in court, but they spent Tuesday night in a motel room and bunked with family Wednesday.
>
> ''I can't get a job. Either I'm over-qualified or somebody else is closer and they don't have to pay them any moving fees to take the job,'' he told the Huffington Post.
>
> Bruce, a gulf war veteran, lost his quality assurance analyst job at an engineering company in the fall of 2012. He said his unemployment's been hard on him and his wife, who is still looking for work in quality assurance.
>
> ''There's been a lot of depression on my end,'' he said. ''She's scared. She's terrified right now.''

That is a real story of a real person who has worked hard and had a job for many years who, because of the economy, is out of work and can't get the benefits. And the result of this body not acting, the result has been he has been evicted from his home as of Tuesday.

That is wrong. That is not America. That is not the way we should be acting.

Now, I want to yield some time to the gentleman from New York (Mr. JEFFRIES), another colleague of mine, someone who has been a fighter for

working families throughout New York and across the country.

Mr. JEFFRIES. I thank my good friend, the distinguished gentleman from the Badger State, for yielding some time, as well as for the leadership that you have continued to provide, week after week, in the context of this Congressional Progressive Caucus Special Order, and on behalf of the people that you represent, and indeed, people all across America, in bringing issues to the forefront that we, in this House of Representatives, should be dealing with in order to improve the quality of life of everyone who we represent.

Now, unfortunately, I stand today on the House floor again, finding myself in a situation where the only obstacle to progress is the House GOP majority. Once again, we are placed in a situation where the American people could stand to benefit from congressional action, but, because of obstinacy and obstruction on the other side, you have got close to 2 million long-term unemployed Americans who find themselves in a distressed financial situation.

Now, earlier today we were informed that a bipartisan agreement was reached in the Senate and, hopefully, that means we will see progress in that Chamber at some point this month, which means that we have a real opportunity here in the House of Representatives to act in a manner that would benefit long-term unemployed Americans.

Why should we do that?

Well, because there are many individuals all across this country, in the district that I represent in Brooklyn and in Queens, but all across America, who find themselves unemployed, not because of their lack of interest, not because of lack of effort, not because of an unwillingness to work, but because of structural changes that have occurred in our economy, particularly in the aftermath of the Great Recession of 2008.

□ 1845

We know that when the economy collapsed in 2008, that didn't have anything to do with folks on Main Street America. That didn't have anything to do with folks in urban America, in the district that I represent. That didn't have anything to do with folks in rural America who are struggling.

It was because of the behavior of some reckless institutions on Wall Street and connected to the financial services industry whose actions collapsed the world's economy, and Americans have suffered as a result, so those consequences are still being felt.

We are no longer technically in a recession. This is one of the arguments that our good friends on the other side of the aisle point out. So what is the emergency? The emergency is you still have an unacceptably high unemployment rate, and a disproportionately high number of those individuals happen to be long-term unemployed.

Now, the argument that is often advanced by our good friends on the other side of the aisle, as they attempt to justify the obstruction that has taken place in blocking unemployment insurance from being extended, is that we are enabling these individuals—enabling these individuals. What kind of myth is that? There is no evidence to support that argument.

First of all, it is important to note that, in order to qualify for unemployment insurance, as the distinguished gentleman from Wisconsin knows, you have to demonstrate conclusively that you are actively engaged in an employment search. Otherwise, you are ineligible.

There is this caricature that has been created, as if these are these individuals who are sitting at home like couch potatoes, channel surfing, whose only exercise is when they run outside of the house in order to pick up the unemployment insurance check from the mailbox, and then run back in and continue to channel surf.

Can't we have an evidence-based discussion, Mr. Speaker, as opposed to fictional caricatures created to justify your harshness and refusal to move forward and provide assistance to these unemployed Americans? We know it is a fictional caricature that you have created to justify your indifference because the facts suggest otherwise.

We know that, for every 258 Americans who are searching for employment, only 100 jobs exist. I am no mathematician, but it suggests to me that, given the nature of the economy, it is impossible for every one of those individuals who would otherwise be eligible for unemployment insurance to secure employment because of structural realities in the economy.

That doesn't even account for the fact that, often, there will be a skills mismatch as our economy continues to change, a shift away from manufacturing jobs and a shift into technology and innovation. That is a good thing, but there is a skills mismatch that has to be dealt with.

So the choice that we have been given is to deem these individuals and brand them as lazy Americans when the facts are to the contrary? Why? Why would we leave these unemployed Americans on the recessionary battlefield?

We know that there has been a very schizophrenic recovery. Corporate profits are way up. Unemployment is still up, but the stock market is up, and CEO compensation is up; yet middle class families and those who aspire to be part of the middle class are increasingly struggling in America.

Whenever I am back home in Brooklyn, I am often approached by individuals who are in fear that they could lose their home, given the reality that they have been harshly and callously cut off by the obstruction of the House GOP majority.

I am just hopeful that for the good of America—because there are unemployed in blue States, and there are unemployed in red States; there are unemployed individuals in urban America, in suburban America, in rural America, all across this great country. Can't we find the compassion and the will to address this issue?

As I prepare to take my seat and yield back to the distinguished gentleman, I would also point out that what has occurred here is another example of us here in this Congress doing things affirmatively to prevent jobs from being created.

We allowed sequestration to take effect on April 1 of last year, notwithstanding the fact that independent economists suggested that we would lose 750,000 jobs in America if we allowed it to occur; yet the majority steadfastly stood behind sequestration. Then in October of 2013, we had a reckless, unreasonable, unnecessary government shutdown.

It cost the economy $24 billion, according to Standard and Poor's, in lost economic productivity. Well, you complain that Americans are supposedly sitting at home channel surfing, staying on the couch, not looking for work while you affirmatively damage the economy.

Now, as a result of your failure to deal with the unemployment insurance issue, if this were to continue throughout this year, you will cost us another 200,000 jobs.

I will just say that for a wide variety of reasons—because it is in the best interests of the American economy, the best interests of the people that we represent, and that it represents the best values of America—that we allow a vote to take place on the floor of the House of Representatives because I am confident, Mr. Speaker, that if you do, the votes exist to pass this into law, and we can put this sad chapter in the 113th Congress behind us.

I thank the distinguished gentleman again for his continued leadership.

Mr. POCAN. Thank you so much, Representative JEFFRIES, for your always eloquent fight on behalf of the working people across the State of New York and the need for the benefits.

I am glad you debunked some of the myths that are out there because I remember, during the debate we had on food stamps, there was discussion of a surfer dude from California who talked about gaming the system.

We were basically cutting $39 billion from food stamps because there was a surfer who abused the system from the State of California. Rather than governing by analysis, they govern by anecdote, and it is something that we need to get done and this body needs to get done.

Let me just share one final story, if I can, of someone from the State of California, again, from The Huffington Post article. This is Ricki Ward of Rancho Cucamonga, California, and I will read from the article.

Ward, who told The Huff Post Tuesday that she expects to be evicted next month, said she has worked all her life from paycheck to paycheck and raised two kids as a single

mother. For the past 5 years, Ward worked in offices, retail stores, and fast food before being laid off from a customer service job for a cable provider in March 2013.

Ward said she suspects she is having difficulty finding work because of her age.

''I took the year that I graduated from high school off of my resume, and I started getting calls,'' Ward said. ''Yet once they saw me, I wasn't what they wanted for their front counter. I'm 59 years old, but I'm a very young 59 years old. I keep myself in good shape. I'm nowhere near ready to stop working.''

She said her landlord has been fair with her and that she has received some help from family and friends, but she keeps falling further behind.

''It's so humiliating to have to have everybody else try to take care of you,'' Ward said. ''It's just not what I'm used to. I've worked all my life.''

These are the stories that we have talked about during this past hour from people across the country who, again, have played by the rules, worked hard and, because of a turn in the economy a few years ago, have lost work.

The commitment that we have to those people is that if they are working hard. We need to do everything we can to make sure that they have the help that they have paid into: unemployment benefits. We need to, in a time like this, pass those emergency benefits.

I would like to yield my final time to a Representative from Ohio who has done an absolutely amazing job for a number of years representing her constituents and is a great University of Wisconsin alumni.

I have to say that, being from Wisconsin, but she is a great colleague, Representative MARCY KAPTUR from the great State of Ohio.

Ms. KAPTUR. I want to thank Congressman POCAN for just a phenomenal presentation this evening and for lifting up those across our country who worked hard for a living and have fallen on hard times.

Trying to hold their families together, they go try to get a job, and 1,000 people show up for one job. What are they supposed to do? They have lost footing. They haven't been able to make their mortgage payments. They can't send their kids to college. Many of them get sick. They lose their health benefits. It is not so easy getting a job in today's America.

You have been such a leader not just on unemployment benefit extensions, but also on job creation. Since we are commemorating the second anniversary of the passage of the U.S.-Korean so-called ''free-trade agreement,'' I thought I would bring a startling chart to the floor to show why we have unemployment in this country.

One of the aspects of the U.S.-Korean so-called ''free-trade agreement,'' passed 2 years ago without my support, was that we were supposed to increase exports and decrease imports.

It was supposed to actually be good for America. We were supposed to create more jobs here at home when, in fact, we have actually lost 40,000 jobs when they told us we were going to gain 70,000 jobs as a result of that agreement. Those people who were supposed to have those jobs fell on unemployment benefits, large numbers of them.

Here is a chart that shows what has happened. This gives you a sense of how big the difference is.

All right. The idea is we are supposed to export cars from here to Korea. Well, guess what, folks? This is how much we export; and this is how much they export to us, so we have fallen so deeply in the red.

What happens is, with every $1 billion of trade deficit, you get another 4,000 people out of work. Factories shut down. Suppliers shut down. The math is very simple. You just need to understand it.

Now, you know, if you look at the individuals who stand in those unemployment lines, they were told that we were supposed to sell thousands and thousands of vehicles to Korea.

Well, I will tell you what: we have sold 3,400 more vehicles in that country—3,400.

Guess how much—since the trade agreement was signed with Korea, how many more they have sold to us. 125,000. 125,000.

Now, according to my math, they have sold to us 121,600 more cars than we have sold them. That means unemployment in Wisconsin. It means unemployment in Ohio. It means unemployment across this country. It means unemployment in the steel industry, unemployment in the machine tool industry. You can tick it off.

Now, they tell us agriculture was supposed to save us. Right? We have positive trade accounts in agriculture, and we are supposed to increase our exports to Korea. Guess what has happened. They are off by 41 percent—not just 4 percent, but 41 percent.

Our exports of poultry have fallen since this agreement was signed by 39 percent. Pork exports are down 34 percent. Beef exports are down to Korea 6 percent. U.S. meat producers have lost a combined total of $442 million in poultry, beef, and pork exports to Korea in the first 22 months of the agreement. That means more than $20 million lost every month.

So, Congressman POCAN, I am sure you have seen the impacts of this in Wisconsin. We have certainly seen it in Ohio, and we see these big trainloads coming through on rail of all these cars that they bring in here from the west coast that come from points over the Pacific or the Atlantic coming in to our country.

If you go to those countries and you look around on the streets, they not only don't buy U.S. cars; they don't buy cars from anyplace else but themselves.

□ 1900

So part of what we are doing with unemployment benefits is we are trying to make up for failures in our trade policy that have turned people away, away from the world of work and trying to struggle to make ends meet.

I will insert into the RECORD tonight a special report done by Public Citizen regarding the impacts of the U.S.-Korean so-called free trade agreement, and if this is the same template that the administration intends to use for bringing trade promotion authority in the Trans-Pacific Partnership Agreement up here, don't even start. Don't even start, because we have to reduce this and increase this, and until an agreement does that, we are not going to create more jobs in this country.

I will show you something. This is the big hole we are digging out of. We hear a lot about the budget deficit. Well, why do we have a budget deficit? We have a budget deficit because we have a trade deficit. We have had it now for one-quarter century, and every time we get into another one of those trade deals that are lopsided, what happens? We go deeper, deeper, and deeper into trade deficit. More and more companies close down; more and more people lose their work; and then we have to subsidize the differential between imports and exports through unemployment benefits.

We are trying to keep the hold, but we are not addressing this problem. This is after China PNTR. They told us: Oh, that will be so great; we are going to sell all this stuff to China. We fell deeper into deficit.

CAFTA—then they told us: Oh, Latin America, that will make it better. This is after Korea. It went down again.

What are we doing to America? We are ceding away our sovereignty in industry after industry. They have always said that electronics are going to save us. Those big, bad auto States? We are going to do better. Well, guess what? We have now fallen into deficit in advanced electronics. We are not even succeeding in exporting those. The people of this country have to pay attention because the heart and soul is being chipped away piece by piece. Try to find something made in this country—coats? shoes? cars? Some.

What we have is state economies like China competing against merchant economies like our own. And the auto industry got in such shape that it took the Government of the United States to prop it up and save it. We were faced with: Will the United States have an automobile industry or not? That is going to happen in other sectors. That is going to happen in steel, and that is going to happen in shoes. They didn't even fight. But if you look at every sector, unemployment, unemployment, unemployment—appliances, unemployment.

You can see it by census statistics. No matter what community you go to, we have had these lost jobs; and you look over 10 years, 2000 to 2010, poverty quadruples. Don't tell me those people don't want to work. They had jobs. The jobs disappeared.

You can go to these sweatshop countries and you can go find the production. Guess what? You can find TRICO now in Mexico. They used to make windshield wipers in Buffalo, New York. It was a major employer. The man who founded the company had a decent soul. He had a huge foundation that helped that community. It still does to this day. But all those jobs have moved down south of the border. No decent wage, no benefits, nothing. No corporate conscience at all.

That is happening from one end of this country to the other. America has a rude awakening ahead of her. It goes through Democratic and Republican administrations, and the American people know it. They know that it doesn't change here. Unemployment benefits are the least we can do for the American people—the people who went to work, they believed in making a good product, and now they have fallen onto hard times. Don't tell me it is all their fault.

I have done job fairs in my district. Thousands of people show up. There aren't enough jobs for everyone that wants to work. I would invite any President, any former President.

I would like to invite George Bush II to travel with me, because he came to my district. I would like to take him and show him where in Mexico these jobs have gone. Come with me to Guangdong province in China. I will show you where our jobs have gone. I will take you to Honduras. Then, do you know what? I am going to make everybody who comes with me work like those women work, and then you tell me why we face an unemployment benefit crisis in this country and what kind of a society we have here.

Those are earned benefits. Those belong to the people who have devoted their lives to going to work, earning a living, and trying to get ahead in an honorable way and in an honest way, and they deserve them.

So I want to thank you, Congressman POCAN, for giving me time this evening.

Mr. Speaker, I place this article from Public Citizen in the RECORD that summarizes everything that has gone haywire with the U.S.-Korean so-called free trade agreement.

ON SECOND ANNIVERSARY OF U.S.-KOREA FREE TRADE AGREEMENT, U.S. EXPORTS DOWN 11 PERCENT, IMPORTS FROM KOREA UP AND DEFICIT WITH KOREA BALLOONS 47 PERCENT—FUELING CONGRESSIONAL SKEPTICISM ABOUT OBAMA TPP EXPORT PROMISES

EXPORT DECLINE HITS U.S. FARMERS AND AUTO WORKERS PARTICULARLY HARD, DISMAL OUTCOMES OF PACT-USED AS TPP TEMPLATE WILL BOLSTER OPPOSITION TO OBAMA BID FOR FAST TRACK AUTHORITY

WASHINGTON, DC.—Two years after the implementation of the U.S.-Korea Free Trade Agreement (FTA), government data reveal that the Obama administration's promises that the pact would expand U.S. exports and create U.S. jobs are exactly opposite of the actual outcomes: a downfall in U.S. exports to Korea, rising imports and a surge in the U.S. trade deficit with Korea. Using the administration's export-to-job ratio, the estimated drop in net U.S. exports to Korea in the FTA's first two years represents the loss of more than 46,600 U.S. jobs.

The damaging Korea FTA record, detailed in a new Public Citizen report, undermines the administration's attempt to use the same failed export growth promises to sell an already skeptical Congress on Fast Track authority for the Trans-Pacific Partnership (TPP), a sweeping deal for which the Korea FTA was the template.

Contrary to the administration's promise that the Korea FTA would mean ''more exports, more jobs'':

U.S. goods exports to Korea have fallen below the pre-FTA average monthly level for 21 out of 22 months since the deal took effect.

The United States has lost an average of $385 million each month in exports to Korea, given an 11 percent decline in the average monthly export level in comparison to the year before the deal.

The United States lost an estimated, cumulative $9.2 billion in exports to Korea under the FTA's first two years, compared with the exports that would have been achieved at the pre-FTA level.

Average monthly exports of U.S. agricultural products to Korea have fallen 41 percent.

The average monthly U.S. automotive trade deficit with Korea has grown 19 percent.

The U.S. exports downfall is particularly concerning given that Korea's overall imports from all countries increased by 2 percent over the past two years (from 2011 to 2013).

The average monthly trade deficit with Korea has ballooned 47 percent in comparison to the year before the deal. As U.S. exports to Korea have declined under the FTA, average monthly imports from Korea have risen four percent. The total U.S. trade deficit with Korea under the FTA's just-completed second year is projected to be $8.6 billion higher than in the year before the deal, assuming that trends during the FTA's first 22 months continue for the remaining two months for which data is not yet available.

Meanwhile, U.S. services exports to Korea have slowed under the FTA. While U.S. services exports to Korea increased at an average quarterly rate of 3.0 percent in the year before the FTA took effect, the average quarterly growth rate has fallen to 2.3 percent since the deal's enactment—a 24 percent drop.

''Most Americans won't be surprised that another NAFTA-style deal is causing damage, but it's stunning that the administration thinks the public and Congress won't notice if it recycles the promises used to sell the Korea pact—now proven empty—to push a Trans-Pacific deal that is literally based on the Korea FTA text,'' said Lori Wallach, director of Public Citizen's Global Trade Watch. ''The new evidence of the Korea FTA's damaging record is certain to make it even more difficult for the Obama administration to get Congress to delegate its constitutional trade authority via Fast Track for the TPP.''

The decline in U.S. exports under the Korea FTA contributed to an overall zero percent growth in U.S. exports in 2013, rendering virtually impossible Obama's stated goal to double exports by the end of 2014. At the export growth rate seen over the past two years, the export-doubling goal would not be reached until 2054. While the Korea pact is the only U.S. FTA that has led to an actual decline in U.S exports, the overall growth of U.S. exports to nations that are not FTA partners has exceeded combined U.S. export growth to U.S. FTA partners by 30 percent over the past decade.

''The data simply do not support the Obama administration's tired pitch that more FTAs will bring more exports,'' said Wallach. ''Faced with falling exports and rising, job-displacing deficits under existing FTAs, the administration needs to find a new model, not to repackage an old one that patently failed.''

The Korea FTA has produced very few winners; since the FTA took effect, U.S. average monthly exports to Korea have fallen in 11 of the 15 sectors that export the most to Korea, relative to the year before the FTA. And while losing sectors have faced relatively steep export declines (e.g. a 12 percent drop in computer and electronics exports, a 30 percent drop in mineral and ore exports), none of the winning sectors has experienced an average monthly export increase of greater than two percent. Ironically, many sectors that the administration promised would be the biggest beneficiaries of the Korea FTA have been some of the deal's largest losers.

AGRICULTURE: While the administration argued for passage of the FTA in 2011 by claiming, ''The U.S.-Korea trade agreement creates new opportunities for U.S. farmers, ranchers and food processors seeking to export to Korea's 49 million consumers,'' average monthly exports of U.S. agricultural products to Korea have fallen 41 percent under the FTA.

U.S. average monthly poultry exports to Korea have fallen 39 percent.

U.S. average monthly pork exports to Korea have fallen 34 percent.

U.S. average monthly beef exports to Korea have fallen 6 percent.

Compared with the exports that would have been achieved at the pre-FTA average monthly level, U.S. meat producers have lost a combined $442 million in poultry, pork and beef exports to Korea in the first 22 months of the Korea deal—a loss of more than $20 million in meat exports every month.

AUTOS AND AUTO PARTS: The administration also promised the Korea FTA would bring ''more job-creating export opportunities in a more open and fair Korean market for America's auto companies and auto workers,'' while a special safeguard would ''ensure . . . that the American industry does not suffer from harmful surges in Korean auto imports due to this agreement.'' The U.S. average monthly automotive exports to Korea under the FTA have been $12 million higher than the pre-FTA monthly average, but the average monthly automotive imports from Korea have soared by $263 million under the deal—a 19 percent increase. So while U.S. auto exports have risen very modestly under the FTA, those tiny gains have been swamped by a surge in auto imports from Korea that the administration promised would not occur under the FTA.

In January 2014, monthly auto imports from Korea topped $2 billion for the first time on record.

About 125,000 more Korean-produced Hyundais and Kias were imported and sold in the United States in 2013 (after the FTA) than in 2011 (before the FTA).

Sales of U.S.-produced Fords, Chryslers and Cadillacs in Korea increased by just 3,400 vehicles.

The post-FTA flood of automotive imports has provoked a 19 percent increase in the average monthly U.S. auto trade deficit with Korea. The Obama administration has sought to distract from this dismal result by touting the percentage increase in U.S. auto sales to Korea. This allows the sale of a small number of cars beyond the small pre-FTA base of sales to appear to be a significant gain when in fact it is not.

Mr. POCAN. Thank you so much, Representative KAPTUR, again for your history of support not only for working families across Ohio. I know we are

going to talk more about trade in this body. Thank you for sharing that information.

With that, I am going to close the Special Order hour for the Progressive Caucus. It is imperative that this body pass the extension of the emergency unemployment benefits. The House Democrats have filed a discharge petition. We will do everything we can to force a vote off that; but we are hoping that the Senate, now that they have a bipartisan agreement, can get that passed as well.

Mr. Speaker, I yield back the balance of my time on behalf of the Progressive Caucus.

KEYSTONE PIPELINE AND ENERGY SECURITY

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

Mr. TERRY. Mr. Speaker, we have just gone through an hour of talking about uninsured, and I want to talk an hour about creating jobs and that it is time to build the Keystone pipeline.

The Keystone pipeline has just reached its 2,001st day of the birth of its permit, 2,001 days that this country has waited for our President to sign the permit allowing the construction of the Keystone pipeline.

Why is the Keystone pipeline important to us? First of all, the Keystone pipeline brings oil from Canada into the United States to six of our refineries. This provides us a level of energy security that is absolutely necessary in today's world. In fact, when I talk about today's world, let's talk about current events for just 1 second here.

This is a newspaper article that was just released a few hours ago:

> Retired General James Jones told the Senate Foreign Relations Committee on Thursday that approving the pipeline would send a message to Russian President Vladimir Putin and other ''international bullies'' that they cannot use energy security as a weapon.
>
> Jones said rejection of the Canada-to-Texas pipeline would ''make Mr. Putin's day and strengthen his hand.''
>
> The Senate panel was holding its first hearing on the pipeline 5 years after it was proposed as Democrats wrestle with its impact on the outcome of next fall's election.

The reality is, in a geopolitical sense, Russia is using energy as a new economic weapon to control the countries that it once dominated as the Soviet Union. We have a new energy—well, it is a renaissance. Because of new technologies and new abilities, we are finding oil and natural gas within our own borders; but if we can team up with Canada's oil in a North American oil pact, the reality is we will no longer be relying on Venezuela. In fact, the amount that comes through the pipeline, the proposed Keystone pipeline, would completely offset Venezuelan oil. It doesn't matter what your party registration is; I think all of us would agree that if we didn't have to rely on Venezuelan oil, that makes us a more secure country.

Now, I want to talk about some of the other advantages besides just geopolitical. The first is 42,000 jobs. Now, I know a lot of the opponents to this pipeline say that it is a myth that it creates 42,000 jobs, but the reality is that when you add the direct jobs—for example, the hundreds if not 1,000 people from Nebraska that would go to work on the pipeline as it comes through Montana, South Dakota, Nebraska, and Kansas—but what it also employs are all that we would call downstream, the downstream that would work on the refineries to upgrade them to be able to handle the additional oil and the oil that would come to them, and those refineries are in Texas, Louisiana, Oklahoma, and Kansas.

But then we can look about, okay, what are all the other indirect jobs? For example, Mr. GRIFFIN is going to talk about and mention a company in his district in Arkansas that actually fabricates, takes the steel that is hopefully made in America and fabricates it into the pipeline. So there are thousands of indirect jobs that rely on the construction.

Now, when I am out and about, I hear all these myths that have been perpetuated on the Keystone pipeline, and I just want to bat a few of them down tonight.

First of all, some of the environmental extremists that are opposing the Keystone pipeline tell people that it will increase CO_2, or carbon, in our air. The reality is the environmental studies and the final study concluded that not only does it not increase carbon, but because it will transfer transportation of the oil from train and trucks to a zero-emission pipeline, it will actually reduce carbon output; because the reality is the carbon output to extract the oil from the oil sands is diminishing, and the reality is that oil, as it is pumped out or created there, will be used. So if you stop the Keystone pipeline, the reality is there will be more carbon emitted.

In a recent meeting with the Canadian officials, they stressed to me that they are going ahead with their pipelines reversing the flow so that they can pump oil from the oil sands to the east coast of Canada and then will export it. Then they also have already accumulated all of the right-of-way necessary for a pipeline to the west and will build a second one to the west.

What that means is that, okay, they used the pipeline, but now it goes on a ship and is sent to China, so we lose the opportunities except for what can be brought by train and truck into the United States and makes us less secure.

Now, those are environmental studies that have done this. This is science. This is from reputable engineering firms in one of our national laboratories.

One of the other myths is that this pipeline won't be safe, that there have been leaks in the first Keystone pipeline that is already carrying some of the oil over. The reality is there were leaks in the first Keystone pipeline. They were defective seals that have been replaced, and the leaks have stopped.

Now, this pipeline has been studied safetywise more than any others. The liquid pipeline industry's safety performance initiative reflects these conclusions: first of all, that pipeline safety statistics deliver 99.999 percent of crude oil and petroleum products each year safely; 14 billion barrels of crude oil and petroleum products delivered in the pipeline in 2012; 62 percent decline in the number of pipeline releases since 2001; and 47 percent decline in the number of barrels released since 2001.

□ 1915

The reality is not only are pipelines becoming safer, but the pipeline, this Keystone pipeline has 59 special conditions placed upon it above all other pipelines. Most of these are to mitigate any risk of spilling or of a leak. If there is a leak, one of the other conditions is that they have to have people within a 2-hour drive to be able to stop that leak, thereby minimizing that leak.

Now, there is another myth about it hurting the Ogallala aquifer. They said that hasn't been studied, but the reality is that 22,000 pages of environmental studies that have been submitted to the State Department and made final clearly state that it has a minimal impact on the Ogallala aquifer. And when you read into the facts of the Ogallala—I learned something, growing up in Nebraska. We assumed that it was a big underground lake. What it is, it is a series of rock formations that capture water. So when you have a heavy crude, if it would leak, it is easier to pick up than a lighter crude or a gas. And because it is a rocky formation, it would trap it and not allow it to leak where they could get down there to where the leak was and be able to pump it out without further injuring the Ogallala aquifer. So the fact that it can pollute this huge underground lake that doesn't really exist all of the way down to Kansas is a myth, if you talk to the real geologists and the environmental folks, experts, in this area.

Now, does the Keystone pipeline have an economic impact? Yes. It will have $2 billion worth of earnings throughout the U.S., property tax revenue, through the property taxes paid along the pipeline to the communities that will help schools and counties with their budgets.

Now, one other thing that I hear once in a while is that Canadian oil sands are more dangerous or dirtier than other oils. The fact is that the U.S. currently imports 1.4 million barrels of this crude daily. Nearly all of it is transported by already existing pipelines or trucks or trains, and there has

not been a single recorded pipeline rupture caused by the oil sands. That is one of the other things—because of the chemical that they use to help it slide down the pipeline and be pumped, that somehow that weakens the pipeline, but that is just not true.

Then I hear, and this is another one that is famous: the Keystone XL pipeline is going to increase gas prices. Well, first of all if you know economics, if you know oil economics, you go: Huh? How can that be? It just defies logic and defies common sense. The reality is that in a memo by the Department of Energy regarding Keystone XL, it asserted that the gasoline prices in all markets served, and this is the Department of Energy saying it, the Obama administration Department of Energy saying this, they asserted that gasoline prices in all markets served by refineries on the east coast and the gulf would decrease, including in the Midwest. The discount from WTI crude does not and has not translated into lower gasoline prices in the Midwest. This is because the Midwest must import gasoline from outside of the region, forcing buyers to pay global market prices. Bringing new pipeline capacity online would allow WTI to reconnect with other benchmark prices while simultaneously helping to drive down the price of oil and gasoline.

This dovetails into my last myth, and that is all of this oil is just going to be exported anyway, so why risk any environmental issues in the United States if all it is going to be is put on ships and exported.

That is just pure bull. That is an emotional argument that has no basis in truth. There are six refineries that are contracting for this oil to refine it into gasoline and other products. The United States uses gasoline. The gasoline that is refined from this product and those six refineries is going to stay in the United States.

Can you say that 100 percent of every barrel is not going to be exported? No, because there are a variety of products made from a barrel of oil, including lubricants that are not even used in the United States but are used in other places. Those will be exported. Some of the diesel will be exported. But the reality is that the gasoline that we care about stays in the United States. It is just a fact that it will stay here. It just baffles me that people say that it is all going to be exported and it is going to raise gas prices, and none of it is true.

At this time I yield to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I really appreciate the gentleman yielding. I rise today to discuss our country's energy future, and specifically the role of the Keystone XL pipeline.

I am going to reiterate a little bit what the leader of this Special Order has already stated.

Due to recently technological innovations, the United States is the number one producer of natural gas in the world today. That is hard to believe when you think about 20 years ago and what the naysayers were saying where we were going to be.

In oil production, we are set to pass Saudi Arabia by the year 2020. This is a long way from the gas lines of the 1970s, when there were restrictions at gas stations on how many gallons you could buy or on what days you could buy gas. I can remember going to gas stations and you had a number on the end, and they said this is the number we are taking today. If you didn't have it, you weren't buying gas. But today, that has changed. It has changed.

Today, we are on the cusp of a bright promising energy future where millions of jobs will be created because of it. We must ensure that the right policies are in place in order to realize our great energy potential. Again, that potential is there.

The Energy and Commerce Committee has heard testimony and passed numerous pieces of legislation aimed at ensuring that America is on the right path to energy prosperity. One of the quickest solutions is to build the Keystone XL pipeline. Thanks to Mr. TERRY's leadership on the Keystone XL pipeline, we passed a bill to approve it. The expansion of the pipeline will bring additional jobs, income, and investment into the United States. The project will produce up to 42,000 manufacturing, construction, and indirect jobs.

In my home State of Ohio, the project is projected to bring 2,419 jobs by 2015. These jobs will offer high wages, strong benefits, and a resurgence of America's hardworking taxpayers. The project will also produce approximately $20 billion in economic activity from food, lodging, construction equipment, supplies, and investments during the project development.

In my home district, the Fifth District, I have visited companies that are going to be making equipment for drilling and parts for large machinery that will bring oil from the pipeline. Not too long ago, I was at one company that was very proud to tell me that they are going to be adding on to their company today because they are going to be making equipment that will be used in the pipeline in its construction.

There is also a company that makes parts for the large machinery that will be operating up in Canada. Those are jobs in northwest Ohio, and those are the jobs that we want to keep. These are permanent jobs for people looking for good employment.

In our committee hearings, we had one panel that was very interesting. At one end of the table we had a representative from TransCanada, and at the other end of the table we had an individual who was representing the trades, whose men and women will be actually building this pipeline. It was very hard for them to understand why we weren't going forward with this project today to put these people to work because these people are going to be working. They will make sure that they have roofs over their families' heads, food on the table, and will be saving money for their kids' education and putting money away for their own retirement.

This pipeline is going to bring about 830,000 barrels of oil into the United States every day. We have a great friend and neighbor to the north, Canada. For every $1 we send to Canada, we will get about 90 cents back. We send billions of dollars every year overseas for oil to some countries who aren't our greatest friends.

As we speak, due to the President's foot dragging, Canada is studying an eastern route across her southern border that would bypass the United States and send her oil to her eastern ports to ship that oil some place else. What is wrong with this picture? They want to send it south, not east. Talk to them.

Another point about the Keystone pipeline is that it is a $7 billion privately funded project. Once that oil would reach its destination in the United States, as Mr. TERRY has already said, it will be refined into many products, putting Americans again to work.

The pipeline is expected to generate more than $585 million in State and local taxes in the States the pipeline passes. I was a county commissioner for 6 years, and I know what that means to be putting back into local government.

Approval of this energy project should not be controversial, but President Obama and his administration have made this commonsense, shovel-ready project a cornerstone of partisanship and needless delays. Two thousand days have passed since the Keystone XL pipeline application was filed. This pipeline has undergone more State and Federal assessment than any previous pipeline, and every assessment has come back to the same conclusion: that the pipeline will have minimal environmental impact. Further, the Keystone XL pipeline will be the most advanced pipeline in operation, using the most reliable materials and innovative technology. In fact, the pipeline will include 57 extra safety measures, which led the U.S. State Department to declare that the project would have a degree of safety over any other.

Another benefit: the Keystone XL will provide additional capacity to our current pipeline infrastructure.

Finally, again to point out what Mr. TERRY has already said, that this is about our security, not just energy security, but our national security, because as Americans pick up their paper and look at the news in the evening and they see what is happening in Ukraine, people in Europe are fearful of what is going on because energy is being used as a weapon against them. We want to make sure that we are independent in this country. We want to make sure that Americans can go to bed every night and say we can take

care of ourselves, and we can take care of ourselves with oil from a country north of us who is one of our greatest friends and neighbors.

This project has the support of the American people, the United States House and Senate, and it is time for the President to put jobs, community investment, and energy security before politics and approve this pipeline.

I thank Mr. TERRY for leading this very important energy Special Order tonight.

Mr. TERRY. I thank the gentleman from Ohio.

I think if there is someone watching C–SPAN and they watched the first hour, the Democratic hour, and now they are watching us, they are seeing how they advocated for unemployment insurance, and we are advocating for jobs. It is quite a stark difference in our philosophies showing on the House floor tonight.

At this time I yield to the gentleman from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. Mr. Speaker, I rise today to express my support once again for the immediate approval of the Keystone XL pipeline. I feel like I have been doing this year after year, calling for the President to move forward with the Keystone pipeline, and I realize I have been doing this year after year, pretty much since I got here in 2011.

And every day, as the gentleman from Nebraska mentioned, every day there is another name added to the list of folks who say: You know what, this does make sense.

When I look closely at the articles, I see that it is a former Obama administration official, and the next day, another former Obama administration official, and again and again and again. There was another one today, as the gentleman mentioned.

Just a few weeks ago, more than 2 years after President Obama first rejected the Keystone pipeline and more than 5 years after the application to build it was first submitted to the State Department, the government's latest environmental analysis of the Keystone pipeline project was released.

This analysis showed very clearly that this project will have little environmental impact, provide much-needed jobs, and contribute $3.4 billion to our economy.

What you have in this situation now is the President waiting for a report; the report comes out from his State Department. Waiting for another report, and then one comes out from the Academy of Sciences. If he keeps waiting, there are not going to be any reports left, and the only decision left will be his decision. That is really where we are.

□ 1930

Hardworking Americans are ready for a real, all-of-the-above energy strategy. The need for this is made more and more clear by what has been going on with Russia and Ukraine, but the Obama administration continues to block this critical infrastructure project and all the good-paying jobs it would create.

I believe they are doing it for one reason and one reason only—politics—because they have some extreme supporters that they want to keep relatively happy in an election year. That is what this is all about.

Where I live in Little Rock, Arkansas, workers at a company called Welspun have manufactured hundreds of miles of pipe, but it is just sitting in a storage yard because the President refuses to let the Keystone XL pipeline be built.

In fact, I was wondering whether there was still some out there, and we confirmed today there is still about 350 miles of pipe sitting out there in the yard.

Last September, Dave Delie, the head of Welspun, testified to Congress that the Keystone XL project has so far employed more than 600 Arkansans for over 1½ years at Welspun alone.

Imagine how many other people could get paychecks, could have a job, for all the other work related to the pipeline, including construction work and operation of the pipeline. Americans are looking for work right now. They have waited long enough. It is time to build this pipeline.

I understand that folks—some folks—are worried about protecting the environment and making sure our families and children have clean water to drink. I am too, so let's not argue over settled science.

Research released last year from the National Academy of Sciences concludes that the oil sands crude Keystone will transport is no more corrosive than other crude oils and does not increase the risk of leaks.

We all saw what happened when a train carrying oil in Canada derailed last July. Most of an entire town was obliterated, and nearly 50 people were killed. That was tragic and devastating.

We know that pipelines are safer. We know this. The solution is clear. We need to improve and modernize our pipeline infrastructure, and the Keystone XL project will include over 50 additional safety measures.

President Obama and Secretary Kerry should do the right thing for our environment and the right thing for American workers. Let's create jobs. Let's build Keystone now.

Mr. TERRY. I thank the gentleman from Arkansas.

At this time, I want to yield to our friend from New Jersey (Mr. LANCE).

Mr. LANCE. Thank you, Mr. TERRY, and thank you for your leadership on this issue. I am honored to serve on the subcommittee that you chair.

The discussion this evening has been on unemployment insurance, and that is a worthy discussion. Almost all Americans want to work. The best way for Americans to work is for jobs to be created. The unemployment rate in this country is far too high and the labor participation rate in this country is at a 30-year low.

To those of us who are concerned particularly about the labor participation rate, the best way to get that rate up and to have jobs created is to create jobs, and that is what the Keystone pipeline will do.

Like many Americans and, certainly, like many Americans whom I represent in north/central New Jersey, I have been incredibly frustrated by the repeated and unnecessary delays in moving forward with the construction of the Keystone XL pipeline.

As Chairman TERRY has pointed out, it has been more than 2,000 days since TransCanada filed its first application to build Keystone. This is a disappointing milestone for this important economic and energy project.

2,000 days is a long time, and not making a decision is making a decision. It is making a negative decision. The people of the United States deserve a decision to be made and, in my judgment, deserve an affirmative decision.

We, of course, have passed legislation in this regard. I am very proud of the Energy and Commerce Committee on which Mr. TERRY and I serve. American-made energy production is one of the few bright spots in today's struggling U.S. economy.

This is due to a series of factors, and of course, our abundance of American gas is at the heart of that. As innovation leads to greater production, the Energy and Commerce Committee, under the leadership of Chairman FRED UPTON and of the united effort of those of us on the Republican side, we have been working together to pass measures that will bring increased American-made energy to consumers and businesses.

The Keystone XL pipeline is an important piece of our all-of-the-above energy policy strategy, and we believe—and I think this is demonstrated conclusively—that this will help lower energy costs, create jobs, and reduce our dependence on foreign sources of oil.

Foreign sources of oil, of course, come from dangerous parts of the world, not only the Middle East, but Venezuela as well. We need to be less dependent on foreign sources of oil, and that is why we have promoted the all-of-the-above strategy.

Those who have opposed the Keystone project cite environmental concerns. I certainly respect environmental concerns. I try to be a strong environmentalist, and I know my colleagues on both sides of the aisle try to be strong environmentalists.

The U.S. State Department report regarding environmental concerns related to Keystone found that the project would have a minimal negative impact on the environment. I believe that we should look at the science and what has been demonstrated, that this would not negatively affect the environment in any meaningful way.

The State Department report also outlined some of the other benefits that would come with the project—as Chairman TERRY has pointed out—42,000 direct and indirect jobs, this at a time when our economy needs to have more in the workforce, so that we can rely less heavily on unemployment insurance, rely more heavily on getting Americans back to work, and make sure that our labor participation rate increases.

The report also indicates that there would be 3,900 construction jobs. These are high-paying jobs. This is what America should really be about: construction, making things. That has been the history of America, certainly in most parts of this country.

This would be of enormous benefit not only to the center of the country, but, in my judgment, to the entire country. Of course, the report also says that there is an estimated $3.4 billion in a boost to our economy.

I was interested to read the testimony today of General James Jones, the distinguished former National Security Adviser to President Obama. He came out in favor of the Keystone pipeline today, as has been referenced by Chairman TERRY and by my distinguished colleague from Arkansas, and I am sure by others who will speak this evening.

General Jones has had a distinguished career in service to the United States of America, a career regarding our national security.

There are national security concerns, Chairman TERRY, regarding the Keystone pipeline. Canada is one of our best friends. Canada has stood with us. We can recall all of the times in the past where Canadians have come to help the United States.

Recently, in Mexico, there was a summit among the Prime Minister of Canada, the President of Mexico, and the President of the United States. Certainly, the Prime Minister of Canada favors the construction of Keystone. That is one of the many reasons that we should move forward with Keystone.

Most important of all is our own national security, our own creation of jobs, but also we should be a friend to Canada as Canada has been a friend to us. If we do not build it, then, of course, the Canadians might look elsewhere. They might turn east to China, yet another reason to build Keystone.

Of course, the situation that now exists regarding Russia and its terrible actions involving the Crimea and perhaps even other parts of Ukraine, yet another reason, in my judgment, to build Keystone.

After enduring more than 5 years of review of red tape and of delay, I do not believe there is any reason left for President Obama not to approve Keystone XL and to approve it immediately.

I would urge the President, in all sincerity, to examine what is best in the interest of the United States, to examine what is best in the interest of making sure that we move forward together.

It is time to create U.S. jobs from this aspect of energy. It is time to reduce U.S. dependence on foreign oil from unstable sources. It is time to build the Keystone pipeline, long past time.

Mr. TERRY, I commend your leadership this evening.

Mr. TERRY. Thank you. It was about a year ago this time that H.R. 3, one of our leadership bills, came through our Energy and Commerce Committee that would have permitted the Keystone pipeline passed overwhelmingly with bipartisan support in this Chamber.

It has been sitting on Senator REID's desk for over a year now—42,000 jobs that could be created collecting dust.

I yield to our friend from Virginia, Mr. MORGAN GRIFFITH. If you would give us your thoughts on the Keystone pipeline?

Mr. GRIFFITH of Virginia. Well, I have to tell you, first of all, I appreciate your leadership on this. Ever since I got to Congress 4 years ago, this has been an important item for you, not just because it will help the United States, not just because it will help your district, but because it is the right thing to do.

I commend you for that hard work that you have been doing and will continue to do until this project is actually approved. I hope that will be sooner than later.

It would be nice if our bill that we had passed with bipartisan support would have action taken on it by the Senate. I don't know how the good Senator sits down with all those bills in his back pocket. He has got a lot of our good bills back there.

Mr. TERRY. We in the House have passed about 430 bills. 89 of them actually gotten out of the Senate. Well over about 100, I guess—maybe even more than 100—actually are like the Keystone pipeline, that would create—immediately create jobs, but yet they are sitting on a desk.

Mr. GRIFFITH of Virginia. That is what we need in this country. We need opportunities. We need abilities. Bottom line, we need policies that will create jobs. I have got to tell you that one of the favorite things that I do as a United States Congressman is I go to the high schools in my district, and I talk with the students.

Sometimes, it is middle school students. Most of the time, it is senior high students. I talk to them, and I talk about how the decisions that we are making in Washington and the policies that we set here in the Nation's Capital will affect them far more than they affect me because, long-term, when you look at the debt and the deficit and you look at the effects on our health care system that have been coming down with various policies, these will all have a greater impact on them than they will on us.

Particularly talking about debt and deficit, I will often say to them: Well, who do you think is going to pay more of that, me at 55 or you at 17 or 18?

They get it real quick. One of the things I always make sure I try to put into the question and answer process as I am talking with the students is this: the United States of America is a great country. We are the number one economic nation. There are a lot of other countries out there that would like to be the number one economic nation.

While things do not look good in the short run, if those of us in Washington, including the President of the United States and the Senate and the House, make the right policies and have a true all-of-the-above energy policy for this country, we can be the number one economic nation, not just for the next decade, not just for the next 20 years, but I submit to you for the next 100 years.

□ 1945

That's a big deal.

That means jobs and prosperity for the people of the United States for a long, long time. Then I say, but if we make mistakes in Washington—if we don't have a true all-of-the-above policy where we use North American oil, natural gas, coal, wind, solar, nuclear, across the board—we can slip out of that number one spot, and we won't have the advantages that the number one economic nation has had throughout history, and I always mention the Keystone XL pipeline. The reason I mention the Keystone XL pipeline is that it sends a message to the world that the United States is open for business, that we want jobs in this country.

We can send those jobs to China if we want, like we have done in so many other areas, but we want those jobs. We want the jobs in laying the pipeline. We want the jobs in doing the refining. We want the jobs that come from having that extra supply right here in our country, whether it be the oil or the gas that is produced from this oil or whether it be the chemicals that we can make cheaper because we have an abundant supply in North American oil.

It is true, as my colleagues have said, that we also want to make sure that we send a message to the world that we are going to stand with our friends in Canada. As the general said today, a former Obama adviser: Let's send a message to Vladimir Putin.

These are all combined in the Keystone XL pipeline, and when you have the reports on the environment that indicate minimal effect—in fact, some would argue that there may even be positive effects by the pipeline because you don't have to worry about the train system—then what you have got is the situation of ''why?'' Why would the President, with all of the reports and with the 2,000 days of study and jumping through hoops, not have already signed it? I am surprised he is not having a press conference as we speak to sign the Keystone XL pipeline. Let's get on with it.

I had one person tell me today that he believes that this is better than the

oil that we are importing from Venezuela because it has a less negative impact on the environment, our using this oil from Canada, and the Canadians are working to make their process even better so that it has less of an impact on the environment.

So I thank you, Mr. TERRY, for all of your hard work. If you can explain it to me, I would love to hear it, but I can't explain to the high school students in the Ninth District of Virginia why we are not pursuing the Keystone XL pipeline with haste instead of with delay when we know that it will create jobs for American citizens and for people like these high school students will be in a few years when they finish their educations.

Mr. TERRY. I am baffled, too, so I appreciate your comments.

Mr. Speaker, I just want to sum up here:

2,001 days since the permit for this pipeline was filed and over 22,000 pages of scientific review. This permit has been sitting around longer than it took the United States to win World War II. This permit has been here longer than it took Lewis and Clark to explore the Louisiana Purchase and come back. Eleven Federal agencies have participated in reviewing the Keystone pipeline—11 Federal agencies on top of the scientific studies. Every State in which the proposed Keystone pipeline route goes through has approved the pipeline and has independently reviewed it.

Six weeks ago, the President, right behind my right shoulder here, said that he would take out his phone and his pen and would act.

Mr. President, tonight, we ask you to pick up your phone. Call Prime Minister Harper and tell him, Yes, I am ready to sign the permit. Then take out your permit, sign it, and let's get 42,000 people back to work.

Mr. GRIFFITH of Virginia. Mr. TERRY, even though I believe I know the answer to this question, I would just ask you: If the President needs a pen to sign that, would you take it down to him on Pennsylvania Avenue?

Mr. TERRY. I have got an extra one, and I will let him keep it.

Mr. GRIFFITH of Virginia. There you go.

Mr. TERRY. I would even let him keep it.

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

NATIONAL WOMEN'S HISTORY MUSEUM

The SPEAKER pro tempore (Mr. LAMALFA). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for 30 minutes.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank all of you for joining us this evening. I am delighted to be here to speak about the importance of the National Women's History Museum. I am so pleased to be joined by some of my colleagues who will speak about outstanding women from their States and in the history of our country, women who deserve to be recognized in this museum.

First, I would like to thank my colleague in this effort to create a national museum for women on or near The Mall. She is MARSHA BLACKBURN, from the great State of Tennessee, whose passion and unyielding commitment to making the National Women's History Museum a reality is unrivaled. She is a godsend, an inspiration, and a great friend to women, and I thank her so much for her extraordinary leadership and for the announcement I hope she will make tonight about March 25—moving our legislation forward.

Women stand on historical quicksand. With each step we take forward, the steps behind us disappear. Women have to re-create the wheel with every generation.

Think about what is taught in our American history classes. It is mostly written by men and focuses on their experiences. As my daughter said: It is usually about a bunch of wars between men. Where are the stories about the women?

In large part, women are invisible. History is empowering. It shapes who we are and provides role models to guide us.

We need a museum for half the generation, half the population—women. There are women's museums that focus on aspects of women First Ladies, of women artists, but not one in the United States or around the world, which I am aware of, that focuses on the sole accomplishments and contributions of half our population—women.

I now yield to my colleague, MARSHA BLACKBURN.

Mrs. BLACKBURN. I thank the gentlelady for yielding.

Mr. Speaker, I am so pleased to stand on the floor of the House and join my female colleagues from both sides of the aisle as we work together to make the dream a reality, which is the dream of a women's history museum, to celebrate the cause of wonderful women who have participated in the push and preservation of freedom here in the United States. It will, indeed, be a wonderful day when we see this as a reality.

As Mrs. MALONEY mentioned, we are moving forward legislation that would allow for the establishment of a commission to study where to place a museum. By the way, I think everyone will find it so interesting, which is that the women of this great Nation have said that we don't want any Federal money at all involved in this project. We are going to privately raise every single penny that is necessary for the location, for the physical facilities, for the exhibits, for the maintenance and upkeep and endowment. This is a project by the women of this Nation for the women of future generations to celebrate the accomplishments that women have made to the Nation.

Indeed, let's think about what has transpired in each and every State, and I hope, over the next few weeks, we have the option, as we celebrate Women's History Month, to talk about what women have accomplished in our country and what our States have contributed.

In Tennessee, we talk a good bit about what transpired when women got the right to vote. We had had all of the process through the fight with suffrage, and it came down to the point of ratification of the amendment to give women the right to vote and to make certain that we had the 36 States to ratify the 19th Amendment. It had been through 35 States, and on August 18 of 1920, it went to the Tennessee Legislature.

Guess what?

It was voted to a tie. There was a State rep, Harry Burn, and he was the one who broke the tie. As we often hear, the hand that rocks the cradle rules the world. Indeed, this is a story that is a great example of that because Harry Burn changed his vote and gave women the right to vote. Harry Burn did it because Harry got a letter from his mother. Here is the letter:

> Dear Son, hurrah and vote for suffrage. Don't keep them in doubt. I noticed some of the speeches against. They were bitter. I have been watching to see how you stood, but have not noticed anything yet. Don't forget to be a good boy, and help Mrs. Catt put the ''rat'' in ratification.
>
> Sincerely, your mother.

Harry Burn changed his vote, and Tennessee became the ''perfect 36''—the State that gave women the right to vote.

So, because of that, we are able to stand today in Women's History Month and push for a museum to celebrate the accomplishments of people like Susan B. Anthony and Elizabeth Cady Stanton and the suffragettes and so many other women whom we will have the opportunity to learn about and talk about.

Mrs. CAROLYN B. MALONEY of New York. My colleague pointed out the historic importance of Tennessee in its giving women the right to vote.

It is interesting that both of our States played such a crucial effort in the women's leadership in achieving this right—Tennessee, the final vote, giving women the right to vote, and, New York, the birthplace of the women's movement and of the first resolutions and efforts to gain that right to vote—in Seneca Falls, New York, with Elizabeth Cady Stanton, Lucretia Mott, and Susan B. Anthony. Incidentally, they were all Republicans, and yet they gave their lives so that we could have the right to vote.

Mrs. BLACKBURN. I think it is so significant that, again, those two States joined in pushing forward H.R. 863.

I want to commend Chairman CANDICE MILLER and the Admin Committee for the hearing they have already held on the legislation and to

take the opportunity to announce that Chairman HASTINGS and the Natural Resources Committee will hold their hearing on March 25. So it is another step as our States and women from our States move forward on moving this to becoming a reality—something women have wanted in this country since they got the right to vote.

Mrs. CAROLYN B. MALONEY of New York. The gentlelady is so correct. We are making history tonight, and we are making history with these hearings.

It was noteworthy of CANDICE MILLER, from the great State of Michigan, that the day she held the hearing was the day that Mary Barra came up the ranks from an intern to the head and CEO of one of America's greatest companies, General Motors.

So I look forward to hearing from my colleagues here. In order of appearance, MARCY KAPTUR, from the great State of Ohio, is a great leader for women and, really, all people, thank you for joining me. You are making history, too, with all of your hard work.

Ms. KAPTUR. Thank you. It is just great to be here this evening and to have so many women gathered on the floor—women Members. That in itself is historic.

As an Ohio Representative, I want to voice my support of your bill, H.R. 863, the National Women's History Commission Act, to study the potential creation of a National Women's History Museum in Washington, D.C., on our mall of democracy, our Nation's Mall.

I can't thank CAROLYN MALONEY of New York and MARSHA BLACKBURN of Tennessee more on behalf of the people whom I represent. The part of Ohio that I come from has really been the leading region of our State to elevate women to public life. I will enter some of that in the RECORD this evening, but in a personal way, let me say that, when I first got here in the 1980s, there were 24 women who were serving in the House.

□ 2000

A dear, dear Member from Louisiana, Congresswoman Lindy Boggs, took me and shepherded me through those rather unusual days. I can remember finally being elected to the Appropriations Committee. When I walked in, there were only the two of us. Virginia Smith from Nebraska was there. Virginia was a Republican. That was it. And me. It was just a different experience. It was like you ended up in heaven and you just saw who was there for the first time.

Over the years, I befriended many people. In 1995, I wrote a book about the women of Congress. I thought it would be easy. But what I found so difficult was, where were the primary materials? I ended up spending more time doing research on women who had served up to that point. I thought, Wow, this is really a huge vacuum.

I drove up to Maine to interview then retired-Senator Margaret Chase Smith. I recorded her. She had created next to her home a tiny little museum where she had some of her papers, and I thought, Oh, my gosh, there really isn't any place for this nationally, and yet this is such a significant person—the first woman to have served both in the House and the Senate.

So as I got into that book, I realized how these materials were all over the country and not really well gathered at all. Then, one of the women from our State, Mary Regula, who was married to former Congressman Ralph Regula of Ohio, worked for years to build the National First Ladies Museum in Canton, Ohio. I went there for the dedication. I am on the board. I saw how Mary and Ralph fought for that for years. It should have been so easy, but it was so hard.

As you go through that particular museum and you start reading the lives of the First Ladies, you are actually shocked to read what really happened and the materials that have been brought together. It was proof to me that the history of women really is yet to be recorded.

So I came down here tonight to compliment you on your efforts and to say that in the region that I come from, we have now seen women rise to positions of heading universities and major corporations. Obviously, women are the anchors for their families and communities in so many ways. They are physicians, engineers, attorneys, judges, athletes, Justices of our Supreme Court. Janet Yellen is now the first woman to head the Federal Reserve of our country. Finally, maybe she will straighten things out.

They are military personnel and legislators. They are career paths that had once been blocked or not even considered for women.

I wanted to come down here this evening and say I stand with you.

I am dedicating my remarks tonight in honor of a constituent of my own district, Mrs. Mattie McAlister, who has just celebrated her 90th birthday. Even as she begins her tenth decade of life, she maintains a full schedule. She is a grandma to all. She teaches children—and she has for years—full time at the Grace Community Center in the heart of our community of Toledo.

The lessons she has learned in her own life are passed on to new generations as the children learn through example. Mrs. McAlister maintains an active social life as well and is involved civic and church life. Throughout her life she has never hesitated to be involved serving her family, church, and community with dignity and grace.

She deserves to be honored in this Women's History Month because she is, fundamentally, a teacher. No child that walks by her doesn't learn. All these years that she has technically been retired, she still teaches in a community that is most in need of her shepherding ways and her incredible gifts as a teacher.

So I want to compliment both of you for allowing the American people to record the history of over half of our citizenry in a way that brings them into full view.

I can guarantee you that you have begun a project that is going to take the rest of your lives to complete. It is a mammoth undertaking, and one that certainly deserves our attention here in the Congress. How great to be living in this great moment in history where we can actually make it a reality.

Mrs. CAROLYN B. MALONEY of New York. Thank you so much for your inspiring comments.

I would just to briefly note that one needs to go no further than today's history textbooks to see why our museum is so important.

Approximately 10 percent of historic references in U.S. history textbooks refer to women. Less than 8 percent of the statues in National Parks are of women leaders. Our U.S. Capitol building, which hosts millions of tourists each year, displays only 15 statues of women out of the more than 200 currently on exhibit.

Mrs. BLACKBURN. We are so delighted that Mrs. LUMMIS is here to join with us. I have to tell you she was quite a trailblazer in her State before coming to Congress, as she served as her State's treasurer.

Mrs. CAROLYN B. MALONEY of New York. At this time I yield to the gentlelady from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. I thank the gentlelady from New York and the gentlelady from Tennessee. Along with the gentlelady from Ohio, and someone we will hear from shortly, the gentlelady from Florida, it is an honor to be with you tonight.

I represent the State that is officially known as the ''Equality State,'' and that is for this reason: Wyoming is the first government in the world to continuously and fully grant women the right to vote.

Most people think that had to have been some State associated with the Eastern intelligentsia, but here is the real story.

In the Wyoming Territory, the legislature passed into law on December 10, 1869, a measure stating:

> That every woman at the age of 21 years, residing in this territory, may, at every election, to be holden under the laws thereof, cast her vote.

This Suffrage Act granted women in the Wyoming Territory the right to vote with full civil and judicial equality with men.

The first woman to cast her ballot pursuant to those rights was Louisa Swain. She voted in Laramie on September 6, 1870, becoming the Nation's first woman voter under laws guaranteeing absolute political equality with men.

Now think about that. That is 1870. That is 50 years before the 19th Amendment to the U.S. Constitution. She was a 70-year-old woman.

Here is the account of her vote in the Laramie Daily Sentinel:

> It is comforting to note that our first woman voter was really a lady . . . of the

highest social standing in the community, universally beloved and respected. The scene was in the highest degree interesting and impressive. There was just too much good sense in our community for any jeers or neers to be seen on such an occasion.

And so it was. Wyoming became the inspiration for the rest of the country.

Wyoming didn't become a State until 1890, and that brought upon the codification of this suffrage right through the ratification of the new Wyoming State constitution.

The Congress of the United States—the very Congress in which we stand—threatened to withhold statehood from Wyoming because we had granted women the right to vote. The Territory's legislators replied with a telegram stating that Wyoming would remain out of the union a hundred years rather than join without women's suffrage.

So President Benjamin Harrison, deferring to the wiser Wyoming territorial legislature, on July 10, 1890, signed into law a bill admitting Wyoming into the union and recognizing it as the Nation's Equality State.

Once again, events of the first woman voter happened in Wyoming 50 years before every woman in this country received the same rights. Consequently, Wyoming has an exemplary early history.

We have the first woman elected to statewide office in the Nation in 1804. She was Wyoming's superintendent of public instruction, Estelle Reel.

Why does that matter? Because she died and her estate and her belongings are currently in a little tiny, neglected museum in a town in the district belonging to the chairman of the House Natural Resources Committee, DOC HASTINGS, giving our chairman, who is going to hold a hearing later in this Congress, pride and reason to help us support obtaining Estelle Reel's property for this museum.

In 1870, Esther Hobart Morris from South Pass, Wyoming, was the first woman to hold judicial office in the world.

The first women delegates to both the national Democratic and the national Republican convention came from Wyoming.

We had the first woman elected Governor in the United States in 1925. She became the first woman director of the U.S. Mint.

By the way, Estelle Reel later became the first woman national superintendent of Indian schools.

The list goes on and on. We had the first woman bailiff and the first woman grand juror.

Wyoming's history is illustrious. That is why we are called the Equality State. We want very much to share that history with the rest of the country, and thanks to the gentlewomen here tonight who are leading the effort to share women's history in this country, that may become a reality.

I want to thank and salute the gentlewomen from New York and Tennessee who are leading this Special Order tonight and are leading this effort to create a national women's history museum. Wyoming looks forward to being a proud contributor. I look forward to being at the ribbon-cutting. I want to send so much history to you and share it with the people of this country. I am so delighted that you are leading this effort.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlelady from Wyoming for sharing that incredible equality history and really inspiring me and Congresswoman BLACKBURN to work harder and harder to pass this important bill.

Imagine how much more inspired, confident, and successful women in general could be if our national narrative included an equal proportion of women's stories? I firmly believe that we wouldn't be trying to lean in—we would already be in.

Also helping us with this museum is the Representative from the great State of Florida. After very personal observation, I can tell you she is very hardworking. She happens to live with me. We share what we call the Members' House together. She is a trailblazer who keeps on knocking down trails and building new opportunities.

In addition to being an outstanding Member of Congress, she was elected and appointed by the President of the United States to chair the National Democratic Committee.

So I now yield to DEBBIE WASSERMAN SCHULTZ, my very good friend and housemate. Thank you for joining us tonight and thank you for all of your hard work.

Ms. WASSERMAN SCHULTZ. Thank you so much to my friend, the gentlelady from New York. It is an absolute privilege and pleasure to be your friend, to be your housemate, and to join you and our distinguished colleagues and friends on the House floor tonight to continue the press and the push for a national women's museum. This has been a longtime goal and passion of yours.

I was so pleased when you came home and told me of your excitement that you had enlisted the gentlelady from Tennessee to cosponsor this effort. I just knew between the two of you, it is very clear that this is going to happen, because the combination of BLACKBURN and MALONEY is just unstoppable, there is no question.

□ 2015

It is wonderful to be here with our colleague from Wyoming. We have had an opportunity to travel internationally together and actually, specifically, to the state of Israel, in which we had an incredible opportunity to bond.

That is what the women Members—in spite of maybe some of the disagreements and vitriol that, sadly, permeates the House of Representatives from time to time, the women Members really do have a bond.

The wonderful thing about our Women's Caucus is that we come together around issues like this, so when everything else is swirling around us in disagreement, the Women's Caucus' goal is always to come together and try to find some common ground and advance the cause of women.

Let me just take a moment to honor and acknowledge our wonderful colleague from Ohio, MARCY KAPTUR, because she is too humble and modest to brag on herself.

We should point out that she is actually currently the dean of women, the longest-serving woman in the House of Representatives today, and someone who I have the honor of serving on the House Appropriations Committee with.

She does a wonderful job, is an incredible advocate for the State of Ohio and for the Midwest, so I wanted to make sure we acknowledged her.

I am here, I am proud to join you, not only to continue our quest for a National Women's History Museum, but also to honor and acknowledge Women's History Month. We do that each March, where we honor and we remember the women who came before us, the women who worked to make the world a better place, who blazed trails for us to walk on and who opened doors for us to walk through.

I think each of us could tell a story about a woman whose shoulders we stand on. I know that, when I ran for the Florida House of Representatives when I was 25 years old, 21 years ago, that would never have been possible without the trail blazed by the women in Florida who came before me, who had it so tough, and who made it possible for me to even think about the possibility of running at that stage of my life.

So, really, we are here during Women's History Month to honor our foremothers and create a Women's History Museum to do just that.

We have historical activists like Mildred Loving, who, in 1967, successfully challenged the banning of interracial marriage in the U.S. Supreme Court.

We have more recent leaders, like Janet Yellen, who, this past year, became the first woman to chair the Federal Reserve.

Amazing women that I have met and come to know in my own home district in South Florida:

Ronnie Oller, a community organizer and philanthropist who organizes an annual event to provide children with free health care and education services;

Josie Bacallao, the leader of Hispanic Unity, which provides Hispanic and other immigration communities with the services and tools they need to live productive, civically engaged lives;

And a young woman who named Valeria Hansen who, at just 15 years old, is the founder of the first south Florida chapter of Girl Up, a campaign that promotes girls' empowerment and education worldwide through social media, fundraising, and advocacy.

We celebrate all of these women, not only for their accomplishments, but for having the drive and tenacity to overcome barriers to equal opportunity and lead by example.

The challenges of sexism, discrimination, and inequality future generations of daughters will have to face are significantly diminished thanks to the brave women who have come before us.

I think we should also acknowledge our colleague, Congresswoman ILEANA ROS-LEHTINEN of Florida, who was the first Hispanic woman elected to Congress, someone who is a great friend of all of ours, who we are so proud of, and is so collegial, so warm, and such a wonderful person and leader to work with.

Former Congresswoman Carrie Meek, and our current colleague, Congresswoman CORRINE BROWN, who were the first African American women elected to Congress from Florida. These are tremendous sources of pride for us as women leaders.

I want to congratulate the gentlelady from New York and the gentlelady from Tennessee on their commitment to building the National Women's History Museum. We really need to build it, so that we can note the accomplishments and progress of women throughout American history because it is important to do that in so many ways.

As the mother of two young daughters—and each of the women here tonight have met my daughters on numerous occasions—and are all about girls' empowerment, we are a girl power caucus as women Members.

If we build this National Women's History Museum, we are going to have an opportunity to have a showcase—a place where we can show our daughters everything that is possible because of the achievements of who came before us.

Instead of having to try to thumb through a history book and hope that a teacher or a professor along the way gave them some understanding about what was possible, we give them a place that they can go, show them what is possible, and show generations of younger women coming behind them as well.

Thank you so much.

Mrs. CAROLYN B. MALONEY of New York. I thank my good friend for her inspiring and thoughtful remarks.

Women's history is not focused strictly on the accomplishments and contributions of individuals; rather it includes recognition of the collective efforts of women to enrich society.

After all, it was women who lobbied pasteurization of milk, vaccinations for our children, and sewage systems for our communities. Women banded together during World War II to support the war effort.

They planted victory gardens, donated nylons to be used for making equipment, and even took up collections that yielded enough money to purchase aircraft bombers.

Clearly, women have succeeded in shaping our Nation in important and lasting ways. A women's museum would chronicle those important achievements of women throughout history that are scattered across the Nation, as MARCY said, and we need to work to make this happen.

I yield to my good friend and colleague in this effort, Congresswoman BLACKBURN.

Mrs. BLACKBURN. Thank you, Mrs. MALONEY.

I want to talk for just a moment about some of the women from Tennessee who have made such a significant contribution.

Now, each of us standing on the floor tonight have stood in this Chamber and have fought for children.

Dr. Mildred Stahlman—Millie Stahlman—is from Nashville and is part of the Vanderbilt University Medical Center team. She is a pioneering professor in pediatrics and pathology at Vanderbilt.

Anyone who has ever been in a neonatology unit has seen some of the pioneering work of Dr. Stahlman because she was the first to ever look at, study, and develop methods for monitoring lung disease in premature babies.

With over 1,300 preemies born every single day, if you were to go into a hospital neonatology unit, you would see some of the knowledge, the experience, the insight, and the discovery that has been brought about by Dr. Stahlman in helping these young babies to live.

I would also like to mention Beth Harwell. Beth is our speaker of the house in Tennessee. She is the first female speaker of the house ever in our State's history.

Beth started her career in public service when she was elected to the general assembly in 1988; and then, in 2011, she was unanimously elected to serve as speaker of the Tennessee House.

She is a diligent worker. She is very devoted to public service, and she represents our State so well.

Chief justice of the Tennessee Supreme Court, Connie Clark, who is one of my constituents.

The SPEAKER pro tempore. The gentlewoman from New York's time has expired.

NATIONAL WOMEN'S HISTORY MUSEUM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 30 minutes.

Mrs. BLACKBURN. Mr. Speaker, we are so excited about our talking, we didn't realize that the time had to be split, but so be it. We women stand and abide by the rules of the House, and so we will accept the acknowledgment of the change of time.

I will return to directing our attention to Chief Justice Connie Clark in Tennessee. What is so important about her career is that she was first appointed to the State court by a Democrat Governor, again served under a Democrat Governor, and then chief justice under a Republican Governor.

Justice Clark is such an incredible inspiration to women in our State. She has proven herself, has really been devoted to the judiciary and the law field, and is so active in our community, a tremendous role model.

If we step outside of the venue of politics and law, Amy Grant, who is a singer, songwriter, a native of Nashville, has had such a successful music career. Amy Grant became the first artist in Christian music to ever have a platinum record, and she went on to become a crossover sensation in the music world.

Amy Grant has pioneered the Christian music genre, and she has also blazed quite a trail in the music industry.

When we look at the world of sports, another Tennesseean, from Clarksville, Tennessee, which is in my district, Wilma Rudolph, many of you will recognize her name. She was a Tennessee State University track star.

On September 7, 1960, in Rome, she became the first American woman to win not one or two, but three gold medals in the Olympics. She was a track-and-field champion and was regarded as a civil rights and women's rights pioneer and is warmly remembered and treasured in our State.

Pat Summitt, who was the head coach of the Lady Vols at the University of Tennessee and is now the head coach emeritus, she was at the helm of the Lady Vols for 38 seasons. She is the all-time winningest coach in NCAA history—the all-time winningest coach in all of NCAA history. That is men and women's teams.

She is forthright, well-respected, ethical, and a winner in every sense of the word.

Sandra Cochran, who is the president and CEO of Cracker Barrel, Incorporated, she became the president and CEO on September 12 of 2011, following her service as Cracker Barrel's president and chief operating officer. Cracker Barrel is headquartered in Lebanon, Tennessee.

Ms. Cochran was previously CEO at the Nation's third largest book retailer, Books-A-Million. She is serving our community and that country well.

Ms. Cochran is a chemical engineering graduate from Vanderbilt University and a masters of business administration from Pacific Lutheran University.

After graduating from Vanderbilt, she entered the United States Army, where she ultimately served as a captain in the 9th Infantry Division.

There are so many other influential women that come from our State, and we are delighted to know that we will have the opportunity to recognize them and their contributions and the contributions of all women who have contributed to the cause of freedom in that Nation.

I yield to the gentlelady from New York.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlelady for giving

that overview of the wonderful contributions of women from the great State of Tennessee, and I think it really is historic that the birthplace of the movement for the women's right to vote began in New York and really was completed in the great State of Tennessee. How historic is that?

I must say that the great men who built this Nation and shaped our society did not do it alone. I want to tell you about some of the women from the great State of New York.

First, I would like to speak about one of my mentors, a great friend, a great leader, Geraldine Ferraro, whose run for Vice President inspired me and countless other women who followed her into office.

As a young woman, she demonstrated her extraordinary capacity for hard work and dedication by skipping three grades and graduating high school at the age of 16. After college, she taught second grade in New York public schools and put herself through Fordham Law School at night.

□ 2030

After her children were born, she spent 13 years as a homemaker, after which she did something that was unusual at the time: she went back to work as an attorney in the Special Victims Bureau of the New York District Attorney's Office.

Later on, she ran for Congress and became an outstanding Member representing Queens, New York. During her three terms in Congress, Ferarro became known as a strong advocate for her district and for issues such as protecting Medicare and Social Security.

Then, in 1984, she literally made history when she became the first female candidate for a major party for Vice President. She is a symbol of the possibility that women could achieve their dreams, break the glass ceiling, and aspire to the highest realm in their chosen profession.

Ferraro is the type of woman I hope inspires my daughters just as she inspired me. Her life is the story girls and boys should hear when they come to our Nation's Capitol, but too often the stories of women are swept under the rug and not remembered. That is why we need this museum.

But Geraldine Ferraro would not have had the opportunity to be such an important trailblazer without the hard work of some of the amazing New York suffragettes: Elizabeth Cady Stanton, Susan B. Anthony, and Lucretia Mott. Their statue is in the rotunda of the Capitol, and it was a bill of Connie Morella's and mine to move the women out of the basement into the rightful living room of the Capitol with the country's other great revolutionary leaders.

Stanton met Mott in 1840 when they both were refused seats at the World Anti-Slavery Convention in London on account of their sex. It was there that they first discussed the need for a convention to address the condition of women in the United States. This led to the first women's rights convention in Seneca Falls, New York, which was attended by Anthony. Together, they championed the National American Woman Suffrage Association, dedicating their lives to achieving equality and the right to vote for women.

The activist work of Cady Stanton, Susan B. Anthony, and Lucretia Mott are the roots under the women's movement in this country. None of them lived to see women gain the right to vote, but it would have been literally impossible without their hard work and dedication. They literally dedicated their lives working daily to raise awareness, build coalitions, and to pass the 19th Amendment.

Without their dedication to women's rights, Alice Paul, the author of the Equal Rights Amendment, would not have been inspired to secure a woman's right to vote. Alice Paul, incidentally, was a relative of my late husband, Clifton Maloney, from the great State of New Jersey. Without their dedication, I would not have been inspired to continue the work on the amendment to our Constitution which we coauthored to ensure equality for women and men in all areas of society.

But there are also countless women whose work has had a tremendous impact on our lives and in our communities. For all intents and purposes, they have been forgotten.

Nellie Bly was one of the most influential journalists of the 19th century. She pioneered the field of investigative journalism at a time when our Nation was rapidly undergoing industrialization. She also emulated the voyage of Mr. Fogg, Jules Verne's character made famous in the classic novel, ''Around the World in 80 Days.'' But Bly pointed out, however, that he made the trip in 72 days.

While working for Joseph Pulitzer's The New York World, Bly went undercover and feigned insanity to report on the deplorable conditions of the Blackwell Island insane asylum. She exposed the horrific physical and emotional cruelty she had seen patients endure. Her work caused an uproar in New York, resulting in more money to help people with mental illnesses and a change in care for the people in the asylum. Bly's work helped open the profession to future generations of women journalists who wanted to write hard news rather than the light features in society columns.

Lillian Wald, another great New Yorker, was a progressive-era reformer setting the standards for modern social work and community nursing. She left medical school in the 1890s to work with poor immigrant families on New York's Lower East Side and founded the Henry Street Settlement, which still serves New Yorkers, and Visiting Nurse Services, which still serves our country and which continues to offer health care and social services to the needy.

Wald tirelessly campaigned for the rights of women and minorities and undertook some amazing humanitarian efforts to improve our country helping to found the United States Children's Bureau, the Women's International League for Peace and Freedom, and the NAACP. The New York Times nominated her as one of the 12 greatest living American women in 1922, and she later received the Lincoln Medallion for her work as an outstanding citizen of New York.

There are untold numbers of women like those that I have mentioned who have made great contributions to this Nation. In addition to learning about their specific contributions, we are only now gaining a full understanding of how civilization evolves through the power of feminine values and women's enduring traditions.

Nowhere can one find a place for all of these contributions and traditions in one place. That is what we want to accomplish for women. I want to note that there are numerous museums in and around The Mall. We have museums for stamps. We have museums for law and order and for space. We have the great Smithsonian. We have museums for African Americans. We have museums for Indian Americans, and we have museums for the media—the important media. We have over 22 different museums right in this area, but not one is focusing on the valid and incredibly important contributions of women.

They say women hold up half the sky, but where do you find it? It is not in the history books. It is not in the museums. It is nowhere to be found. Now, if all these other museums had sections focused on the contributions of women, maybe we wouldn't need this museum. But they don't.

As my daughter used to say when I would read stories to her at night, she would say: Mommy, Mommy, why aren't there any stories about girls? Why are all the stories about boys? Can't you read me a story about girls? We don't focus on the contributions of women. There is a woman who rode longer and farther than Paul Revere, and nobody even knows her name. Let's build this museum and talk about her contributions, too.

If we and future generations are to learn all the lessons of the past upon which to build a future, we must be aware of the true experiences, the hardships, the successes, and the contributions of women.

I have here some people I feel deserve to be in that museum:

Sandra Day O'Connor, the first woman to serve on the Supreme Court, one of the first elected to serve in the State legislature, an outstanding attorney;

Eleanor Roosevelt, from the great State of New York, an outstanding First Lady who helped so many;

Rosa Parks, who was tired and decided not to give her seat to a White and started an entire civil rights movement that literally changed this country and the opportunities for all people; and

Sally Ride, the great astronaut who went into space.

We don't really chronicle the women scientists and the explorers, all these incredibly important women.

Marsha, I know—I know—that we would not have these hearings and we would not have the momentum—we have over 84 cosponsors of our bill now. This would not have happened without your hard work and your leadership. I know she has been reaching out to her colleagues that chair these committees, to the leadership of the majority and others to move this effort forward and to gain momentum. So on behalf of the women I am privileged to represent, I want to thank you for all of your hard work. It is historic.

A NATIONAL MUSEUM FOR WOMEN'S HISTORY

(By Rep. Renee Ellmers, R–NC)

Throughout history, conservative women have impacted our nation's future and become an important voice in our democratic republic. We have proven ourselves as pioneers, innovators, leaders and decision-makers. We have created and contributed to many aspects of history—be it agriculture, medicine, politics, philosophy, science, and art. We have touched countless lives and shaped history, yet rarely does society teach, recognize or display our contributions—and it is time for this to change. In an effort to change this, I have joined my colleagues in advocating to establish the National Women's History Museum (NWHM) in Washington D.C.

Young women deserve a space to call their own—a physical space they can visit to hear and read about those who came before them and changed history. We need a tangible place that encourages our girls to wonder, to feel empowered, and to inquire about the people who fought to provide them with the freedom and opportunities they enjoy today. We need to share the stories of the strong women who have shaped our past and present so that young girls can learn the true meaning of perseverance and courage. There are too many women whose achievements have gone unrecognized and too many women whose efforts have been underappreciated. With such a vibrant history, it is a shame that we have yet to formally establish a museum dedicated to honoring their accomplishments. However, we are making strides.

This past December, my friend Rep. Marsha Blackburn (R–Tenn.) sponsored legislation with Rep. Carolyn Maloney (D–N.Y.) to create a commission that would recommend site locations and funding for the NWHM. This bill would have no additional cost for taxpayers, as the commission would be entirely paid for without federal funds. Information gathered by the commission would then be relayed to both the president and Congress. This past December, Reps. Blackburn and Maloney testified before the House Committee on Administration to relay the importance of establishing this commission. Joan Wages, president and CEO of the National Women's History Museum, an organization dedicated to establishment of the museum, also testified. Yet, nearly four months later, there has been no movement on this bill. With more than 82 bipartisan co-sponsors in the House, 19 in the Senate, and a plethora of national women's groups supporting the bill, there is no excuse for this inaction.

As one of only 19 Republican women in the House of Representatives, I see firsthand how our underrepresentation can impact our future opportunities. But as we continue to increase our ranks, our daughters need an environment to learn about the conservative heroes who made this possible—women like Jeanette Rankin, Sandra Day O'Connor and Condoleezza Rice. These women have earned their place in history, and our girls should have every opportunity to study them and feel inspired by their contributions.

If there were a museum that honored and proudly displayed our history, perhaps more women would be encouraged to run for political office, to seek out top-tier leadership positions, or to launch a new business. By establishing the NWHM on the National Mall, the notion of conservative women holding office could become less of a rarity and more of the norm.

As Republican women, we must continue to demonstrate that conservative principles—like fiscal responsibility, individual liberty, and a strong defense—are values worth pursuing. We need to make women's history a part of mainstream society. We need to have our story told, and we need to lead the way for other young conservative women. Let's honor our mothers and daughters by providing them with a place to learn and feel inspired. Let's establish the National Women's History Museum in Washington, D.C.

[From CNN.com, Mar. 3, 2014]

THE WOMEN YOU DON'T KNOW—YET

(By Rep. Marsha Blackburn, Rep. Carolyn Maloney, Sen. Susan Collins and Sen. Barbara Mikulski)

(Editor's note: Rep. Marsha Blackburn (R–Tennessee), Rep. Carolyn Maloney (D–New York), Sen. Susan Collins (R–Maine) and Sen. Barbara Mikulski (D–Maryland) are part of a bipartisan effort in Congress to establish the National Women's History Museum in Washington.

Did you know that the ''frequency hopping'' technology that is vital to much of our military technology and helps keep your cell phone and your GPS devices secure was developed and patented by a famous movie star?

Did you know that there was an amazing 16-year-old patriot who outdid Paul Revere, riding 45 miles in the pouring rain to warn New York colonial militias that ''the British are coming''?

Did you know that there was a secret agent, code named ''355,'' who worked for George Washington's band of spies, the Culper Ring? The agent supplied key intelligence on British activities during the Revolutionary War, and she was so good at keeping a secret that we still don't know her real name.

If you don't know about all these people, it's understandable. Their stories aren't told widely or often—perhaps because they were all women. For some reason or other, when the story, of our country is told, women—really great women—have tended to be left out of the telling.

You see the results everywhere you look:

A survey of U.S. history textbooks found that only 10% of the individuals identified in the texts were women;

Less than 8% of the 2,560 national historic landmarks chronicle the achievements of women;

Of the 210 statues in the U.S. Capitol, only 15 are of female leaders.

That's the bad news. The good news is that thanks to a strong bipartisan effort in Congress, we may soon be one step closer to addressing this imbalance by establishing a National Women's History Museum in Washington. Together, we have introduced a common-sense bill to move this idea forward.

We have more than 73 bipartisan co-sponsors in the House, 19 in the Senate and a national coalition of women's groups behind us. We recognize money is tight—that's why we're not asking for taxpayer support. Private donations would fund the museum's construction and operation.

A vital part of recognizing equal rights for women is acknowledging and commemorating the deep and lasting contributions women have made throughout history. When young people visit our nation's capital, they should have a chance to be just as inspired by women's accomplishments as men's.

We establish and operate museums, not just as some kind of giant drawer in which to store our memorabilia but as way to celebrate our accomplishments, affirm our shared values and preserve the full and accurate story of our common history. And unfortunately, only half of that story is presently being told.

The stories of courageous and pioneering Americans such as abolitionist Harriet Tubman, astronaut Sally Ride, Supreme Court Justice Sandra Day O'Connor and the founder of the Girl Scouts, Juliette Gordon Low, will inform and inspire future generations.

The remarkable women who helped to make this country what it is today deserve to have their histories told and preserved for the ages. Their stories of success are the stories that will inspire and encourage millions of women. Our daughters and our sons deserve the chance to learn the story—the full story—of how this amazing country came to be.

And by the way, the movie star inventor? That was Hedy Lamarr.

The 16 year-old who rode farther than Paul Revere was Sybil Ludington.

And the spy, code named ''355''? Well, we still don't know the name—but we know the patriot was a ''she.''

And just wait until you see all the other amazing women and American history you'll learn about one day soon when the National Women's History Museum opens.

Mrs. BLACKBURN. I thank the gentlelady from New York.

I want to yield to the gentlelady from Wyoming for some other comments on our conversation this evening.

Mrs. LUMMIS. I thank the gentlelady from Tennessee and New York.

The gentlelady from New York mentioned the name of a woman who, at The New York World, was a trailblazer for women journalists. Today, my daughter, a journalist, a graduate of Columbia's Pulitzer School of Journalism, is a journalist at The New York World; and without that kind of leadership on the part of women, we wouldn't have the opportunities for ourselves and our children to lead. That is why we need to memorialize what women have done, so women and young girls can envision themselves in these roles.

I was recently in Moscow, and we toured the Museum of the Cosmonauts there, and the efforts the United States has currently with Russia, Russia now leading the international space station, so we can continue those efforts. We met with an American woman astronaut and a Russian male cosmonaut. We were led on this tour, and you could see the little kids flock to them as heros. Well, women and girls need role models. The women in this room are role models.

All of us here this evening are at an age when we remember what it was

like not to have intermural women's sports in high school, what it was like to have to wear skirts to high school and to junior high and grade school, not even having the opportunity to wear pants. I remember when I applied for my first job, I was told that we are not going to hire a woman to be an agricultural loan officer because men don't like to ask women for money—and it was legal. It was legal for them to say that to me in a job interview, and they hired the man instead of me.

Well, it just made me mad, and it made me determined. I know by looking at the ages of my colleagues here this evening that you each had similar experiences somewhere in your careers. Our own daughters can't even imagine being told that. This is recent history. These are the kinds of stories that we need to be able to share, what we even went through.

It is a recent history, and it is a long-fought battle. That is why I am so proud, so proud, A, to serve with these wonderful women Members of Congress today who are leading this effort, so proud to be a woman Member of this institution, and, B, so proud that you are going to leave this legacy that will create and memorialize the history of women in the United States in order to provide an exemplary and visionary picture for our own daughters, granddaughters, and Americans long after we are gone.

Thank you so much to the gentlelady from Tennessee, to the gentlelady from New York, to the wonderful woman from Ohio with whom I served on the House Appropriations Committee. You are fine leaders, exemplary women. I have great respect for the work you are doing this evening.

Mrs. BLACKBURN. How true it is that we have to take the time to pause and paint that vision for future generations so that they do know the trails that have been blazed and the roadblocks that have been removed to make their way easier so that they are able to excel, to achieve, to have, and to do. Isn't that what we would desire for them to be able to do, to dream big dreams and make those dreams come true and to have role models and examples who may have been through those same struggles and found a way to make it work?

I yield to the gentlelady from Ohio.

Ms. KAPTUR. I thank Congresswoman BLACKBURN so much and Congresswoman MALONEY. I share the same passion as Congresswoman LUMMIS. We want to just lift you and be a part of this team for H.R. 863. We hope that everyone listening this evening will cosponsor this important legislation.

As I listened to you talk, I thought I would give some background, having lived through it here. You talk about museums, Congresswoman MALONEY, and you go around the Capitol itself, it is a museum, and you go: This doesn't look like America.

For three decades, we have been trying to hang portraits of women who chaired committees in this institution, and it has been a herculean struggle. We finally rehung a portrait in the Education and the Workforce Committee for Mary Norton, who chaired that committee. She wrote some of the most important legislation in this country and was the first woman ever to chair that committee. They had her portrait in a closet—in a closet—just like these statues of suffragettes had to be brought up into the main Capitol.

□ 2045

When I first arrived in Congress, there were only the statues. There was the portrait of Pocahontas in the main room, and then the statue on the very top, Liberty, on the top of the Capitol. But as you looked at the other portraits, you never saw women. Well, Congressman Bob Ney of Ohio, who headed House Administration many years ago, heard our plea and he finally arranged to have Jeannette Rankin, a Republican and progressive from Montana, but it took us until the 21st century to do it. She was actually elected before the 19th Amendment was passed to the Constitution. She came from Montana, and we didn't even have her portrait in the Capitol hung.

In addition, Shirley Chisholm of New York, she is now hung on the first floor. She was the first woman of color to run for President of the United States.

The lack of their presence to me is just so blatant, and that is why I want to thank both of you marvelous, marvelous Members and women for seeing this gap in American history.

Even the Women's Room in the Capitol is behind closed doors so the general public doesn't always see the women. It is very interesting. I think we are about to open another door and allow the fullness of American history to come forward.

I would like to place in the RECORD the names of citizens from northern Ohio:

Toledo's Geraldine Macelwane, appointed the first woman on the Lucas County Common Pleas bench. She won election for four consecutive terms;

Julia Bates, our current county prosecutor in Lucas County, Ohio, and Ohio Supreme Court Justices Alice Robie Resnick and Maureen O'Connor, the only two women ever in American history to be elected to the supreme court of our State;

In northern Ohio, we have sent many fine women. Obviously, Congresswoman MARCIA FUDGE, who serves with us now, and Congresswoman Stephanie Tubbs Jones before her, the first two African American women ever elected to Congress from the State of Ohio, now joined by JOYCE BEATTY of Columbus; Mary Rose Okar; and State legislators Nina Turner, Capri Cafaro, Shirley Smith, Nikki Antonio, Nan Baker, Sandra Williams, Barbara Boyd, Theresa Fedor Edna Brown, Linda Furney and Marijean Valiquette, all women who were trailblazers on the political front.

Toledo has had a woman mayor, Donna Owens. Tina Skeldon Wozniak is a Lucas county commissioner; and Anita Lopez, our county auditor.

Sister Ann Francis Klimkowski was the founding president of Lourdes University, and all of the sisters, the Roman Catholic sisters—the Franciscans, the Sisters of Notre Dame, the Sisters of Mercy, the Sisters of St. Joseph, and the Ursuline Sisters who served selflessly across this country in hospitals and schools and gave themselves to their communities almost unrecognized. There was a traveling display of them that finally went around the country, and I hope that becomes a part of this museum. They gave their lives for us.

All of those women helped build us and on whose shoulders we are standing, and, as with Congresswoman LUMMIS, I just wish to place in the Record—when I was young, I thought I would go to the Air Force Academy, and when I sent my letter in and was rejected because I was a woman, I didn't really completely put it together in my mind. I just tried to do something else, and so I applied to Notre Dame University, and was rejected because I was a woman. They didn't allow women to be students there in those days. And then finally to the FBI. I thought it would be great to work for my country. I would be a female Elliot Ness. And, of course, I was rejected because a woman.

So another door always opened, but in the area in which I grew up, it wasn't possible.

Finally, let me say in memory of our mother, who was never able to obtain her degrees until after she retired. She had a very hard life, and received her high school degree after she went on Social Security. One of her very first jobs was working in a restaurant where, when the minimum wage went into effect her boss, who was an animal, basically cashed the check with the additional amount in it, and then he kept the difference. We didn't have enforcement at the Department of Labor. So each of us have stories about what happened in our lives, and they deserve recording in a museum for the women of America.

Mrs. BLACKBURN. I thank the gentlelady for sharing those stories and her insight and what she has experienced in her career and seeking to remove those barriers to overcome obstacles and to make the way smoother for future generations.

Indeed, as Congresswoman MALONEY and I move forward on H.R. 863, we do, as the gentlewoman from Ohio said, invite and are hopeful that every Member of this body will join us in supporting this legislation and that they will pay attention to the hearing on March 25, and we commend Chairman HASTINGS and the House leadership for moving this bill forward, for making it a priority and saying, let's have the hearing, let's move the bill forward to markup, let's support women who are

willing to give of their time, their talent and efforts, raise all the money for the museum, for the exhibits, for the upkeep, for the endowment, and to make what has been a dream for decades, make it a reality in this great Nation.

I thank my colleagues for joining us tonight, and I yield back the balance of my time.

REDUCING REGULATORY BURDEN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Oklahoma (Mr. LANKFORD) for 30 minutes.

Mr. LANKFORD. Mr. Speaker, it is amazing when we get a chance to be able to talk about something simple: Can a company run its own business? That seems like a very straightforward statement. Of course a company can run its own business. But it is fascinating to me when we begin to go down the process of how many regulations and how many things a company has to do to fulfill Federal mandates, and it begs one simple question: Is Washington the boss of every company in America? Is Washington the boss of every family in America? Quite frankly, is Washington the boss of every employee in America? We don't work for ourselves anymore unless we are given permission by the Federal Government.

Now lest someone think I may be carrying this overboard, tonight we want to have a little conversation on what is happening in our Nation right now, when we have a Nation that is so focused on how we can wrap around every business to decide what is best for the employees, what is best for the employer, and what is best for everyone around them.

There are several Members here as well, and I want to yield to the gentleman from Oklahoma (Mr. MULLIN), who has been an amazing Member of this House of Representatives in the work he has done, and he comes with this small business perspective. He knows how to grow a business. He grew a small business to a very large business that was very significant, even through all of the regulatory process.

I yield to the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. I thank Mr. JAMES LANKFORD from Oklahoma. What a wonderful colleague you are. You are absolutely correct, and the only reason I stand in front of you today is truly the biggest threat I had as a business owner, from a gentleman who literally had the opportunity to have a very small company and see how the Lord can bless it and take it until now we employ over 120 people across the State of Oklahoma, when I woke up one day and realized that the biggest threat I have to my company is the Federal Government, that is a sad reality.

You are absolutely correct. It is ridiculous to sit and think we have to ask Washington, D.C., for permission to be able to hire. They literally regulate who we can hire and how we can fire them. We don't ever want to fire an employee, but the truth is sometimes you have to move on. The relationship doesn't work, and yet you are told how you have to do that.

As a business owner, we want to hire the best people and keep the best people. That is how we grow the company. But at the end of day when we have to constantly ask permission how we do our job, can we do our job this way, are we allowed to grow the company, are we allowed to complete it, what agencies do we have to go through just to get a permit to do something that needs to be accomplished, it gets out of hand. We woke up one day and we realized we were spending 40 cents out of every dollar that comes into our company to simply comply with a mandate or a regulation coming down from the government. Forty cents out of every dollar.

I was questioned one time on an interview. They said, How is that possible? Aren't you including taxes?

I said: No, this doesn't include taxes.

The person said I don't believe what you are saying, and I challenge you.

I told them, just walk the halls with me in my office, and you will go past a compliance office, you will go past a payroll department, which is strongly regulated. You will go by an H.R. department that is strongly regulated, and so on and so on. I said you will be shocked how much we spend on payroll just to meet those certain mandates and those regulations.

It is literally laughable when you have people up here in Washington, D.C., get up and say they got a job package. If they were really that good at creating jobs, why didn't they do it before they got here? The truth is they don't know because if they did, the only thing they would have to do is start reining in the regulations. At the end of the day, is America the land of opportunity because right now if Washington, D.C., if the Federal Government continues to overregulate, the opportunities and the entrepreneurial spirit that exists in America is no longer going to exist.

I would like to thank the gentleman for bringing this to our attention and taking the time and your time to say hey, enough is enough.

Mr. LANKFORD. I thank the gentleman.

As the husband of an amazing lady and a dad of two amazing two young daughters, I enjoyed the previous Special Order that happened here about Women's History Month. I, as a dad, want to see my daughters be able to succeed and have every single opportunity of every single other American, and so I would like to yield to my colleague from New York so she is able to enter some things into the RECORD.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for his beautiful words. Certainly the museum will not be achieved without like-minded men who support it.

Mr. Speaker, I ask unanimous consent to include for the RECORD an op-ed that MARSHA BLACKBURN and I wrote called ''The Women You Don't Know Yet,'' and a beautiful, beautiful op-ed written by RENEE ELLMERS representing the great State of North Carolina called ''A National Museum For Women's History.''

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

There was no objection.

Mr. LANKFORD. I want to continue on this ongoing conversation. How do decisions get made in America?

It is the assumption again that if you are a landowner or a farmer and rancher, you look around your farm and you look for what is best for your land and for your family, as well as for the families around you. No one takes better care of the land than farmers and ranchers all across America.

But it is interesting, as you go across western Oklahoma, you will drive for miles and you will see barbwire fences. At the bottom of it, they will have a small, little ribbon all the way across it. People from outside the State might wonder what that is, but landowners know what it is. That is the Fish and Wildlife Service has stepped onto their private property and said that if you are going to have a fence there in that spot, you have to mark the bottom wire in case a lesser prairie chicken were to be in your area.

So hundreds of miles of fences have now been marked. People have been hired or families have spent their precious time, instead of farming or ranching, instead tagging barbwire in case there is a lesser prairie chicken somewhere in the area, which I remind you, is not an endangered species. It is a species that is being discussed to possibly be threatened at some future point, but it is not listed as threatened. It is not listed as endangered. But millions of dollars have been spent on things like tagging barbwire fences and limiting roads.

□ 2100

Now, landowners have to go to the Fish and Wildlife Service and ask permission for how many head of cattle that they can have in a certain area, in case a lesser prairie chicken happens to be in the area.

It is an interesting day that we have in America, that whether you are farming, ranching, running a plumbing company, or whether you are a contractor, it seems that Washington is the boss of us, and we make decisions based on that.

I would like to be able to welcome in a colleague of mine from my same class, who has been a leader not only in his State legislature, but is now a leader here in this legislature, Mr. ALAN NUNNELEE. I would like to be able to invite him to be able to come and continue on this conversation.

Mr. NUNNELEE. Mr. Speaker, I want to thank my friend from Oklahoma for

his leadership in bringing focus to this important issue.

The foundation for our country rests on the shoulders of ''we the people.'' Under our constitutional form of government, we the people are the boss, and Washington is the servant.

Unfortunately, under this current administration, there is not a week that goes by without more evidence of out-of-control bureaucracies attempting to run local businesses through unnecessary rules and regulations.

I could give many examples, but in the interest of time, I will just give one. Columbus Brick Company is located in Columbus, Mississippi. They have been making clay bricks since 1890. Mr. Al Puckett is the fourth generation of that family to run that business.

After they spent substantial sums much money to bring the factory into compliance with new Environmental Protection Agency regulations, the EPA is now threatening new, even more expensive regulations without any input from the public, from the stakeholders, from Congress, or from we the people.

Last June, Mr. Puckett appeared before the House Judiciary Committee. He testified:

> If EPA uses the same approach that they have followed on recent rules, Columbus Brick may cease to exist after almost 125 years of operation. I expect a minimum of having to shut down 2 or 3 kilns. That will mean a permanent job loss of 45 to 50 families in our small rural community.

Sadly, Mr. Speaker, it gets worse. These EPA regulations do not result in any significant benefit to the environment. The brick industry in general—Columbus Brick Company in particular—is already operating well within safe levels. Unfortunately, Columbus Brick Company is not unique in the impact this rule would have on small businesses. Many would be forced to close their doors.

Only in Washington are rules handed down to businesses without allowing the affected parties the ability to weigh in before the settlement agreements are adopted. Environmental regulations should be fair, reasonable, and they should balance costs versus benefits.

This body understands this concept, and that is why, in February, we passed the ALERRT Act, which would require the administration to account for the cost of excessive regulations to minimize the impact on small businesses.

Mr. Puckett stated it best:

> We are not asking for the rule to go away. We are asking that the practice of establishing unreasonable deadlines without input from the impacted industries go away.

Mr. Speaker, Mississippians know that the power and drive of America is in the individual, and the great solutions to the great challenges facing our country don't come in Washington, neither do they come in our State capitals. The challenges to our solutions can be found around our kitchen tables and our homes and our churches and our communities.

Unfortunately, it is the mentality that the government is the boss. It has been oppressive on companies like Columbus Brick, but their spirit of survival is what has allowed them to survive for several generations. Washington, and particularly not the EPA, is not the boss of Columbus Brick.

Mr. LANKFORD. I thank the gentleman for Mississippi for being here and being part of this conversation because this does affect every single corner of our Nation.

Everywhere we go, this tends to be the same issue repeated over and over again. How do individuals make decisions and not have to wait for the Federal Government to be able to give them permission to be able to do this?

We could go on and on, but let me just give you several other examples that some people may know well and some people may not know well.

If you are going to put in a traffic light, just a simple installation, maybe a day or two at an intersection, to be able to put in a traffic light at an intersection, somewhere in the vicinity of that, there will be a board that has been placed up by the company.

There will be 24 different posters stapled to that board to give instructions to anyone who happens to be at that job site installing a traffic light for a day or two of all of their rights under the Department of Labor rules—24 posters posted outside somewhere in the vicinity around where they are doing construction on a traffic light.

Does anyone think that is common sense? I would assume not; but yet it is all over the country. Every company that is installing traffic lights or working on roads or bridges or anywhere they may be, they are hauling around this giant board and putting it up because the Federal Government makes them do it. As they install it, they all think the same thing. Do I work for the government, or does the government work for me?

Many banks in America now, after the Dodd-Frank regulations were passed just 5 years ago, when those regulations were passed—or that law was passed and the regulations are now promulgated, banks will tell you, all over the country—small banks, family-owned banks in small rural communities, medium-sized banks, banks that had nothing to do with the meltdown that happened in our economy in 2008 and 2009—these community banks will tell you many of them have a regulator sitting there full time now.

If not full time, multiple times a year, for weeks on end, a government regulator comes and sits down at their bank and goes through every single piece of everything.

Many of these banks will tell you, if they call one of these regulators and say: Hey, I am thinking about making a loan, and I am considering this, I need to know, when you evaluate my bank, what are you going to say on this, many of the regulators will say: Well, I will evaluate it when I see it.

They won't give them proactive advice. They won't actually help them in advance, but they will show up at the end of it and be able to downgrade them if they made the wrong decision.

That is not a government that is designed to serve you. That is a government that we serve. Banks have suddenly become entities of the Federal Government, constantly worried about some Federal regulator coming in and what they may or may not do. Again, Washington is not our boss.

The overtime rules that were just proposed today by the President, it seems like a such a nice thing to do. If someone works overtime, they should get additional pay, but leaving out this simple fact: people all over America worked hourly and worked to get to a salaried position, so then they saw that as a promotion.

Suddenly, the President of the United States is stepping in and saying: I am going to actually demote you again and put you back on an hourly-type situation, that if you make a certain amount, you are going to have to count your hours.

Well, what really happens in real life with that? Well, I can tell you immediately after that rule gets promulgated, Pam Parks, who owns Blue Wave and Silver Wave Boats in Seminole, Oklahoma, contacts me immediately and says: Does the President have any idea what this would mean in real life in a real business?

I can tell Pam probably not because what it will mean in real life for her, what it will mean in real life for her employees, what it will mean in real life for companies all over America are multiple things, that when the President in Washington shows up at a business and says it is obvious you don't take care of your employees, so we are going to force you to do this, and we are going to take over your business, and we are going to run your payroll different than how you are running it, what really happens is salaried workers suddenly step back down to hourly workers, and someone who really wants to succeed and is going to put in the time to do that, the boss has to step in to them onsite and say: you can't work more than 40 hours. I know you wanted to be here and to do extra stuff and try to work your way up the ladder. No, you can't do that; because at a certain pay level, there is a cut off there, and you have to have extra overtime.

Now, someone who may make a little bit more, they can stay extra, they can work their way up the ladder, but someone else now will be prohibited from doing that.

As odd as it sounds, what just occurred was the President just imposed a new ceiling in workplaces all over the country with no one passing a law, with no regulation being promulgated, just a declaration, and everything just changed for a lot of Americans all over

the country, and a new cap was just placed in a lot of places.

People that worked for years to move to salary just got demoted back to hourly, and now, their boss is watching over them. Sadly, that boss is Washington, D.C. That is not right for Blue Wave and Silver Wave Boats in Seminole, Oklahoma. That is not right for businesses all over America.

If I get into an issue that is somewhat controversial, excuse me, but let me count the ways that ObamaCare demonstrates that Washington, D.C., wants to be the boss of every business and of every American.

ObamaCare, when it passed, said to every American: I know that you plan your budget and you plan your life in certain ways. We don't like how you do that. You are suddenly going to do it our way. You are going to buy a product you haven't purchased before, whether you are healthy or not, because we want you to, because we are your boss and we are going to tell you what products you are going to buy. If you want to buy a different insurance policy, I am sorry. That insurance policy is not good enough for us in Washington. You have got to pick the one that we pick in Washington.

That is not American. Now, it is a great thing to make sure that everyone in America has access to health care, but to then go to every family and say: It is going to be more than just access to, it is going to be requirement for, whether it fits your budget or not, and by the way, the government is going to pick what fits your budget.

That means Washington is suddenly the boss of you. In every workplace across the country, Washington, D.C., is now trying to decide which insurance policies work best for them—that is, Washington, not for the people in that company. Washington is not the boss of us. We are individuals that have freedom.

There is a company named Hobby Lobby. It happens to be based in my hometown. It is an absolutely amazing family that has lived out their faith for years. People see Hobby Lobby as this giant company.

Just a few decades ago, Hobby Lobby was in a garage and was a couple of sons cutting out picture frames for their dad, and they were selling these little tiny picture frames and starting their own tiny little frame shop.

That tiny little frame shop is now all over this country and is known to be this great retailer Hobby Lobby. They have practiced faith principles from the very beginning of their company. They close on Sundays. They close early on Wednesdays. They pay well more than minimum wage. They have always had great health care coverage.

They are a company that lives out biblical values in the workplace. They play Christian music even over the loudspeakers at the stores. They are a place that, when you shop, you enjoy shopping there. People love to take care of people there. That is part of their corporate mentality.

It is also a couple of owners and that family that is also opposed to abortion. They have the unusual belief that millions and millions of other Americans believe that children are valuable and that children are important and precious. They happen to have a faith that believes that the child deserves life.

Well, the President disagrees with that faith; so when ObamaCare—literally, the regulations say to that business: You cannot operate your business under faith principles if that faith principle is different than the President's.

Why do I say that? Because if Hobby Lobby did not provide insurance at all—at all to their employees, they would be fined $2,000 per person, per year, if they refuse to provide insurance.

If they provide all insurance with everything included in it that ObamaCare requires, except for four abortifacient drugs—just leave out those four. Based on religious views they don't agree with, those four abortifacient drugs—if they don't provide those four, their fine is $36,500 per employee, per year.

Let me run this past you again: $2,000 per employee if they provide nothing; $36,500 per employee if they provide everything, except those four abortifacient drugs.

How serious is this administration about being the boss of that company and telling them: If your faith practice is different than ours, it is obvious the consequences are shutting down a company?

□ 2115

No one can afford a fine of $36,500. So, basically, the Green family has to choose to either live their faith or to keep their business open, but they can't do both at the same time.

What kind of country is this? What have we become when the simple freedom of religion can be swept aside by a Washington that says: If I don't agree with your faith, you have to change your practice?

Washington is not the boss of our companies. Washington is not the boss of our faith. We have a constitutional right to be able to live out our faith.

I received a letter and information from a great Oklahoma company in Stillwater, Oklahoma. It is Frontier Electronic Systems. It is interesting to be able to read what they are dealing with day-to-day just with Federal regulations. Here is one statement.

They wrote:

A phrase I have borrowed regarding most of these Federal regulations is that they ''do not scale.'' As a company with 113 employees, we are as accountable for compliance as if we had 113,000 employees. Needless to say, we have far fewer resources available—dollars and people power—than a larger employer has to ensure compliance. Also, compliance with many of the regulations requires some level of knowledge and experience in specific human resources specialties—staffing, benefits, et cetera—due to the fact that many of the laws are complicated and interrelated. Many smaller companies are fortunate to have even one experienced HR professional, let alone one that has extensive knowledge in multiple HR specialties.

What are they talking about with that?

Let me just give you an example. Because this great company also occasionally does some Federal contracting, here is the list of the regulations that this company must fulfill. To be a company and to be open in America right now, this is what this particular company has to fulfill. They have to follow these specific regulations:

The Age Discrimination in Employment Act; the American Recovery and Reinvestment Act of 2009—the regs that are in there; the American Taxpayer Relief Act of 2012; the Americans with Disabilities Act; the Black Lung Benefits Act; the Children's Health Insurance Program Reauthorization Act of 2009; the Consolidated Omnibus Budget Reconciliation Act of 1986; the Copeland Act of 1934; the Consumer Credit Protection Act; the Contract Work Hours and Safety Standards Act; the Davis-Bacon Act; the Dodd-Frank Act of 2011; the Drug-Free Workplace Act of 1988; the Employee Polygraph Protection Act; the Employee Retirement Income Security Act; the Energy Employees Occupational Illness Compensation Program Act; the Equal Pay Act; Executive Order 11246 of 1965; Executive Order 13201; the Fair and Accurate Credit Transactions Act; the Federal Corrupt Practices Act; the Fair Credit Reporting Act; the Fair Labor Standards Act; the Family and Medical Leave Act; the Federal Employees' Compensation Act; the Federal Insurance Contributions Act; the Federal Mine Safety and Health Act; the Genetic Information Nondiscrimination Act; the Health Care and Education Reconciliation Act; the Health Insurance Portability and Accountability Act; the Hiring Incentives to Restore Employment Act of 2010; the Immigration Reform and Control Act of 1986; the Immigration and Nationality Act; the Jury Service and Selection Act; the Labor-Management Reporting and Disclosure Act; the Lilly Ledbetter Fair Pay Act of 2007; the Longshore and Harbor Workers' Compensation Act; the McNamara-O'Hara Service Contract Act; the Mental Health and Addiction Equity Act of 2008; the Mental Health Parity Act; the Migrant and Seasonal Agricultural Worker Protection Act; the National Labor Relations Act; the Newborns' and Mothers' Health Protection Act of 1996; the Norris-LaGuardia Act of 1932; the Occupational Safety and Health Act; the OSHA Hazard Communication Standard; the Patient Protection and Affordable Care Act—that is a big one; that is ObamaCare—the Pension Protection Act of 2006; the Pregnancy Discrimination Act; the Rehabilitation Act of 1973; the Sarbanes-Oxley Act; the Sherman Anti-Trust Act of 1890; title VII of the Civil Rights Act of 1964; the Uniform Guidelines on Employee Selection Procedures of 1978; the Uniformed Services Employment and Reemployment

Rights Act of 1994; the Veterans Benefits Improvement Act of 2004; the Vietnam Era Veterans' Readjustment Assistance Act; the Walsh-Healey Act; the War Hazards Compensation Act; the Women's Health and Cancer Rights Act of 1998; the Worker Adjustment and Retraining Notification Act; and the Workforce Reinvestment and Adult Education Act.

Can anyone keep up with that? This business has to. With 113 employees, how many people does it take just to keep up with those regulations?

Mr. Speaker, we have a problem. We have a Washington, D.C., that has become arrogant. I don't think it is intentional. Quite frankly, I think everyone is trying to be very kind—overly kind—and they stack on one regulation on another, and there suddenly becomes a day when no company can keep up with this.

The attitude is simple: we know better than you. You won't run your company like it should be run, so we are going to come tell you how to run it. You won't run your family like it should be run, so we are going to tell you how to run your family farm. You won't run your bank like it should be run, so we are going to come run it for you. You won't run your insurance company like it should be run, so we are going to come run it for you. You mistreat your employees, so we are going to take over your health care system, and we will run it for you.

Mr. Speaker, that is not what we are as Americans. We are a nation that became strong because we are a nation that is free. We changed the world with a simple work ethic and the ability for people to be able to achieve success. That did not include a laundry list of protections from the Federal Government that swallow up a business.

Is there anything wrong with the government's setting the boundaries for business? No. It is part of the role of government. But when it becomes this, we are drowning. Now, suddenly, Washington is the boss of us, and this has got to turn around.

Mr. Speaker, simple decisions have to be made.

Can States do things that the Federal Government is currently doing?

Yes, there are things the Federal Government is doing it has no business doing. They are the responsibility of a State.

Should families go back to making decisions and businesses making decisions?

Yes, they should. That means there is risk. With risk comes great reward. We became the strongest and most prosperous nation on the planet because our people were not afraid of risk and the rest of the world was. We can get back to that, but we have got to make a simple decision: Is Washington the boss of us or are the American people the boss of Washington?

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

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows;

S. 2137. An act to ensure that holders of flood insurance policies under the National Flood Insurance Program do not receive premium refunds for coverage of second homes; to the Committee on Financial Services.

ADJOURNMENT

Mr. LANKFORD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 22 minutes p.m.), the House adjourned until tomorrow, Friday, March 14, 2014, at 9 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 113th Congress, pursuant to the provisions of 2 U.S.C. 25:

DAVID W. JOLLY, Thirteenth District of Florida.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4980. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Prohibition Against Federal Assistance for Swaps Entities (Regulation KK) [Docket No.: R-1458] (RIN: 7100-AD96) received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4981. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedule of Controlled Substances: Placement of Alfaxalone into Schedule IV [Docket No.: DEA-370] received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4982. A letter from the Chief, Policy and Rules Division, OET, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Part 15 of the Commission's Rules to Establish Regulations for Tank Level Probing Radars in the Frequency Band 77-81 GHz; Amendment to Part 15 of the Commission's Rules to Establish Regulations for Level Probing Radars and Tank Level Probing Radars in the Frequency Bands 5.925-7.250 GHz, 24.05-29.00 GHz and 75-85 GHz; Ohmart/VEGA Corp., Request for Waiver of Section 15.252 to Permit Marketing of Level Probing Radars in the 26 GHz Band [ET Docket No.: 10-23] [ET Docket No.: 10-27] received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4983. A letter from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Agency, transmitting the Agency's final rule — Retrospective Analysis under Executive Order 13579 [NRC-2011-0246] received February 25, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4984. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No.: 0010052281-0369-02] (RIN: 0648-XD134) received March 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4985. 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 Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Closure of the Penaeid Shrimp Fishery Off South Carolina [Docket No.: 120919470-3513-02] (RIN: 0648-XD122) received March 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4986. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Management Area; Amendment 102 [Docket No.: 130306200-4084-02] (RIN: 0648-BD03) received March 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4987. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Amendment 5 [Docket No.: 100203070-4003-02] (RIN: 0648-AY47) received March 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4988. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's ''Major'' final rule — Endangered Fish and Wildlife; Final Rule To Remove the Sunset Provision of the Final Rule Implementing Vessel Speed Restrictions To Reduce the Threat of Ship Collisions With North Atlantic Right Whales [Docket No.: 110819518-3833-02] (RIN: 0648-BB20) received March 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4989. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone; BWRC Southwest Showdown Three; Parker, AZ [Docket No.: USCG-2013-1034] (RIN: 1625-AA00) received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4990. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Vessel Movement, Christina River; Wilmington, DE [Docket Number: USCG-2013-1002] (RIN: 1625-AA00) received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4991. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bone Island Triathlon, Atlantic Ocean; Key West, FL [Docket No.: USCG-2013-0905] (RIN: 1625-AA00) received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4992. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Houma Navigation Canal, Mile Marker 35.5 to 36.5, and Gulf Intracoastal Waterway, Mile Marker 59.0 to 60.0, West of Harvey Locks, bank to bank; Houma, Terrebonne Parish, LA [Docket No.: USCG-2012-0880] (RIN: 1625-AA00) received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4993. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Olympus Tension Leg Platform [Docket Number: USCG-2013-0070] (RIN: 1625-AA00) received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4994. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2013-1003; Directorate Identifier 2013-NE-33-AD; Amendment 39-17724; AD 2014-01-01] (RIN: 2120-AA64) received March 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 1786. A bill to reauthorize the National Windstorm Impact Reduction Program, and for other purposes; with an amendment (Rept. 113–380, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 1786 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

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 Mrs. WAGNER:

H.R. 4225. A bill to amend title 18, United States Code, to provide a penalty for knowingly selling advertising that offers certain commercial sex acts; to the Committee on the Judiciary.

By Mr. ROYCE (for himself and Mr. HUFFMAN):

H.R. 4226. A bill to amend the Federal Credit Union Act to exclude a loan secured by a non-owner occupied 1- to 4-family dwelling from the definition of a member business loan, and for other purposes; to the Committee on Financial Services.

By Mr. GEORGE MILLER of California (for himself, Ms. DELAURO, Mr. NADLER, Mr. MCGOVERN, Ms. NORTON, Mr. TIERNEY, Mr. LANGEVIN, Mr. SWALWELL of California, Mr. HONDA, Mr. ENYART, Ms. LEE of California, Ms. SLAUGHTER, Ms. JACKSON LEE, Mr. GRAYSON, Ms. MOORE, Mr. POCAN, Mr. SABLAN, Mr. TAKANO, Ms. CLARK of Massachusetts, Ms. FUDGE, Mr. GRIJALVA, Ms. MCCOLLUM, Mr. BLUMENAUER, Mr. HOLT, and Ms. SCHAKOWSKY):

H.R. 4227. A bill to amend title VII of the Civil Rights Act of 1964 and other statutes to clarify appropriate liability standards for Federal antidiscrimination claims; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, the Judiciary, and 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. DUNCAN of South Carolina (for himself, Mr. MCCAUL, Mr. BARBER, and Mr. DAINES):

H.R. 4228. A bill to require the Department of Homeland Security to improve discipline, accountability, and transparency in acquisition program management; to the Committee on Homeland Security.

By Ms. ROS-LEHTINEN (for herself, Mr. DIAZ-BALART, Mr. SIRES, Mr. SALMON, Ms. WASSERMAN SCHULTZ, Mr. DESANTIS, Mr. DEUTCH, Mr. GARCIA, Mr. BILIRAKIS, and Ms. FRANKEL of Florida):

H.R. 4229. A bill to seek international sanctions against the Government of Venezuela with respect to foreign persons responsible for or complicit in ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Venezuela, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Ways and Means, and Financial 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. RUNYAN (for himself and Mr. GARAMENDI):

H.R. 4230. A bill to limit the retirement of KC-10 aircraft; to the Committee on Armed Services.

By Mr. SALMON:

H.R. 4231. A bill to prohibit United States assistance to the East-West Center; to the Committee on Foreign Affairs.

By Ms. GABBARD (for herself and Mr. GIBSON):

H.R. 4232. A bill to clarify the cancellation of loans of members of the Armed Forces under the Federal Perkins Loan Program; to the Committee on Education and the Workforce.

By Mr. BISHOP of New York (for himself, Mr. HURT, and Mr. ISRAEL):

H.R. 4233. A bill to authorize the President to award the Medal of Honor posthumously to Lance Corporal Jordan C. Haerter and Corporal Jonathan Yale of the Marine Corps for acts of valor during Operation Iraqi Freedom in April 2008; to the Committee on Armed Services.

By Mr. BUCSHON (for himself and Mr. DAVID SCOTT of Georgia):

H.R. 4234. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to reduce the shortage of psychiatrists in the Veterans Health Administration of the Department of Veterans Affairs by offering competitive employment incentives to certain psychiatrists, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BUSTOS (for herself and Mr. BRALEY of Iowa):

H.R. 4235. A bill to amend title 38, United States Code, to remove the maximum payment amount for certain qualified losses under the Traumatic Injury Protection under the Servicemembers' Group Life Insurance program; to the Committee on Veterans' Affairs.

By Mrs. DAVIS of California:

H.R. 4236. A bill to amend the Higher Education Act of 1965 and the Truth in Lending Act to clarify the application of prepayment amounts on student loans; to the Committee on Education and the Workforce, and in addition to the Committee on Financial 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. DUNCAN of Tennessee (for himself and Mr. PASCRELL):

H.R. 4237. A bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for furnishing of water and sewage facilities; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 4238. A bill to amend the Immigration and Nationality Act to provide for requirements for employers of H-2B nonimmigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. HUFFMAN (for himself, Mr. GEORGE MILLER of California, Mr. GARAMENDI, Mr. DEFAZIO, Mr. THOMPSON of California, Mrs. NAPOLITANO, Mr. MCNERNEY, Ms. MATSUI, Ms. ESHOO, Mr. FARR, Ms. SPEIER, Mr. BERA of California, Mr. VARGAS, Mr. LOWENTHAL, Mr. PETERS of California, Mr. SWALWELL of California, and Mr. CARTWRIGHT):

H.R. 4239. A bill to provide drought assistance to the State of California and other affected western States; to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, the Budget, Agriculture, Energy and Commerce, and 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 Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself, Ms. LEE of California, Ms. NORTON, Mrs. CHRISTENSEN, Ms. FUDGE, Mr. GUTIÉRREZ, Ms. ROYBAL-ALLARD, Mr. VEASEY, Mr. CÁRDENAS, Mr. GRIJALVA, Ms. BROWN of Florida, Mr. HASTINGS of Florida, Ms. LINDA T. SÁNCHEZ of California, Ms. PINGREE of Maine, Ms. SCHAKOWSKY, Mr. VARGAS, and Mrs. NAPOLITANO):

H.R. 4240. A bill to expand access to health care services, including sexual, reproductive, and maternal health services, for immigrant women, men, and families by removing legal barriers to health insurance coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period

to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LYNCH (for himself, Mr. ROGERS of Kentucky, Mr. GRIMM, Ms. DELAURO, Mr. KEATING, Mr. WOLF, Mr. FITZPATRICK, Mr. MICHAUD, Ms. SHEA-PORTER, Mr. KENNEDY, Mr. TONKO, Mr. HIGGINS, and Ms. CLARK of Massachusetts):

H.R. 4241. A bill to withdraw approval for the drug Zohydro ER and prohibit the Food and Drug Administration from approving such drug unless it is reformulated to prevent abuse; to the Committee on Energy and Commerce.

By Mr. NOLAN (for himself and Mr. PAULSEN):

H.R. 4242. A bill to amend the Tariff Act of 1930 to provide for the import of donated firefighting and rescue and relief equipment and supplies free of duty and other restrictions for purposes of inspection and subsequent donation and export of such equipment and supplies to countries and organizations in need, and for other purposes; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 4243. A bill to amend title 40, United States Code, to permit commercial filmmaking and photography on the United States Capitol grounds, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PETERS of Michigan (for himself, Mr. MURPHY of Florida, and Mr. SCHRADER):

H.R. 4244. A bill to amend the Internal Revenue Code of 1986 to modify the small employer health insurance credit, and for other purposes; to the Committee on Ways and Means.

By Mr. QUIGLEY:

H.R. 4245. A bill to amend the Ethics in Government Act of 1978, the Rules of the House of Representatives, the Lobbying Disclosure Act of 1995, and the Federal Funding Accountability and Transparency Act of 2006 to improve access to information in the legislative and executive branches of the Government, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Rules, House Administration, the Judiciary, Ethics, 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 Mr. REICHERT (for himself, Mr. MATHESON, and Mr. GARY G. MILLER of California):

H.R. 4246. A bill to provide construction, architectural, and engineering entities with qualified immunity from liability for negligence when providing services or equipment on a volunteer basis in response to a declared emergency or disaster; to the Committee on the Judiciary.

By Mr. RUIZ (for himself, Mr. SWALWELL of California, Mr. TAKANO, Mr. ENYART, Mr. ROE of Tennessee, and Mr. HECK of Nevada):

H.R. 4247. A bill to amend title 5, United States Code, to provide that disabled veterans with a disability rating greater than or equal to 70 percent receive preference with respect to employment in the competitive service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. TAKANO (for himself and Mr. FLORES):

H.R. 4248. A bill to require institutions of higher education to disseminate information with respect to the completion rates, employment rates, and retention rates of recipients of GI Bill funding; to the Committee on Education and the Workforce.

By Ms. TITUS (for herself, Mr. VARGAS, Ms. FUDGE, Mr. HUFFMAN, Mr. CARTWRIGHT, Ms. MOORE, Mr. CONYERS, Mr. POLIS, Ms. CLARKE of New York, Ms. CLARK of Massachusetts, Mr. CÁRDENAS, Mr. JOHNSON of Georgia, Mr. DEUTCH, and Mr. SERRANO):

H.R. 4249. A bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to expand and improve Federal programs to reduce child hunger; to the Committee on Education and the Workforce.

By Mr. WHITFIELD (for himself and Mr. DINGELL):

H.R. 4250. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide an alternative process for review of safety and effectiveness of nonprescription sunscreen active ingredients and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRIMM:

H. Con. Res. 93. Concurrent resolution directing the Clerk of the House of Representatives to make technical corrections in the enrollment of H.R. 3370; considered and agreed to. considered and agreed to.

By Mr. ELLISON (for himself, Mr. GRIJALVA, Ms. MCCOLLUM, and Mr. NOLAN):

By Mr. KILDEE:

H. Res. 517. A resolution raising a question of the privileges of the House.

H. Res. 518. A resolution expressing support for designation of March 2014 as ''Multiple System Atrophy Awareness Month'' to increase public awareness of this progressive neurodegenerative disorder that affects the autonomic functions of the body; to the Committee on Oversight and Government Reform.

By Ms. LEE OF CALIFORNIA (for herself, Ms. MCCOLLUM, Mr. GUTIÉRREZ, Mr. MCGOVERN, Mr. BISHOP of Georgia, Mr. ELLISON, Ms. NORTON, Ms. MOORE, Mr. HINOJOSA, Ms. BROWN of Florida, Ms. ROYBAL-ALLARD, Mr. LOEBSACK, Mr. HOLT, Ms. CLARKE of New York, Mr. LEVIN, Mr. GRIJALVA, Ms. BORDALLO, Ms. JACKSON LEE, Mr. HONDA, Mr. RUSH, Mrs. CAROLYN B. MALONEY of New York, Ms. TITUS, Mr. RANGEL, Mr. LEWIS, Ms. BASS, Mr. BARBER, and Mrs. CHRISTENSEN):

H. Res. 519. A resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

175. The SPEAKER presented a memorial of the House of Representatives of the State of South Carolina, relative to a Concurrent Resolution memorializing the Congress to enact legislation revising or requiring revisions of the Southeastern United States federal outer continental shelf administrative district boundaries established by BOEM of the Department of the Interior; to the Committee on Natural Resources.

176. Also, a memorial of the Senate of the State of Ohio, relative to Senate Joint Resolution No. 5 urging the Congress to propose a balanced budget amendment to the United States Constitution; to the Committee on the Judiciary.

177. Also, a memorial of the Senate of the State of New Mexico, relative to Senate Memorial No. 2 calling upon the New Mexico Congressional Delegation in Washington D.C., to vote in favor of legislation that would remove the deadline for ratification of the Equal Rights Amendment; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. WAGNER:

H.R. 4225.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress in Article I, Section 8, Clause 3 of the United States Constitution: ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

Additional authority derives from Article I, Section 8, Clause 18 of the United States Constitution: ''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. ROYCE:

H.R. 4226.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Mr. GEORGE MILLER of California:

H.R. 4227.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DUNCAN of South Carolina:

H.R. 4228.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause I of the Constitution enumerates to Congress the power to ''provide for the common defense and general welfare of the United States.'' This legislation sets out parameters reforming the way that the Department of Homeland Security purchases the equipment and services it needs to defend the homeland.

By Ms. ROS-LEHTINEN:

H.R. 4229.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. RUNYAN:

H.R. 4230.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SALMON:

H.R. 4231.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Ms. GABBARD:

H.R. 4232.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. BISHOP of New York:

H.R. 4233.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BUCSHON:

H.R. 4234.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: 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 Mrs. BUSTOS:

H.R. 4235.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mrs. DAVIS of California:

H.R. 4236.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8

By Mr. DUNCAN of Tennessee:

H.R. 4237.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. HARRIS:

H.R. 4238.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 which states that the Congress has power ''to regulate Commerce with foreign Nations, and among the several States . . .''

By Mr. HUFFMAN:

H.R. 4239.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18: 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 Office thereof.

Article I, Section 9, Clause 7: No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 4240.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LYNCH:

H.R. 4241.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 Clause 3 of the United States Constitution.

By Mr. NOLAN:

H.R. 4242.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, which states that ''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 Ms. NORTON:

H.R. 4243.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. PETERS of Michigan:

H.R. 4244.

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. QUIGLEY:

H.R. 4245.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution

By Mr. REICHERT:

H.R. 4246.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, of Section 8, of Article I of the Constitution, which states that the United States Congress shall have power ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. RUIZ:

H.R. 4247.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Mr. TAKANO:

H.R. 4248.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Ms. TITUS:

H.R. 4249.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WHITFIELD:

H.R. 4250.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power *** to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mrs. CAPITO and Mr. COFFMAN.
H.R. 46: Mr. SMITH of Nebraska.
H.R. 118: Mrs. DAVIS of California.
H.R. 182: Mr. MCKINLEY.
H.R. 184: Mr. LARSEN of Washington.
H.R. 455: Mr. GARAMENDI.
H.R. 562: Mr. PETERS of Michigan.
H.R. 594: Mr. PASCRELL and Mr. KENNEDY.
H.R. 597: Mr. HOLT.
H.R. 647: Mr. ROSKAM, Mr. HIGGINS, and Mr. SCALISE.
H.R. 755: Mrs. BEATTY.
H.R. 863: Mr. LATTA, Mrs. CHRISTENSEN, and Mr. THOMPSON of California.
H.R. 935: Mrs. NOEM.
H.R. 953: Mr. ELLISON.
H.R. 958: Mr. BLUMENAUER.
H.R. 962: Mr. MAFFEI and Mr. HECK of Washington.
H.R. 1008: Mr. MCALLISTER.
H.R. 1074: Mr. LIPINSKI and Mr. ENYART.
H.R. 1084: Mr. ENYART.
H.R. 1091: Mrs. WAGNER and Mr. GRAVES of Georgia.
H.R. 1098: Mr. RANGEL.
H.R. 1150: Mr. RYAN of Ohio.
H.R. 1173: Mr. SHIMKUS.
H.R. 1175: Mr. SCOTT of Virginia.
H.R. 1249: Mr. SHIMKUS and Mr. PETRI.
H.R. 1250: Mr. FINCHER.
H.R. 1286: Mr. KILMER.
H.R. 1318: Mr. DOYLE, Mr. STOCKMAN, and Mr. PETRI.
H.R. 1343: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1354: Ms. BORDALLO and Mr. JOYCE.
H.R. 1431: Ms. BROWN of Florida, Mr. THOMPSON of Mississippi and Ms. HANABUSA.
H.R. 1566: Mr. WENSTRUP.
H.R. 1652: Mr. LARSON of Connecticut, Mr. KILMER, and Ms. ESHOO.
H.R. 1728: Ms. CLARK of Massachusetts.
H.R. 1736: Mr. HOLT.
H.R. 1750: Mr. AMODEI.
H.R. 1761: Mr. DESJARLAIS, Mr. GUTIÉRREZ, Mr. BISHOP of Utah, and Ms. HANABUSA.
H.R. 1832: Mr. KEATING.
H.R. 1838: Mr. BRALEY of Iowa and Ms. SPEIER.
H.R. 1851: Mr. SEAN PATRICK MALONEY of New York.
H.R. 1893: Mr. MILLER of Florida.
H.R. 1913: Mr. DUFFY.
H.R. 1920: Mr. SWALWELL of California.
H.R. 2084: Mr. HANNA.
H.R. 2130: Mr. WELCH.
H.R. 2144: Mr. TONKO and Mr. LOEBSACK.
H.R. 2160: Mr. SIRES.
H.R. 2291: Mr. COLLINS of New York, Mr. WELCH, and Mr. TONKO.
H.R. 2302: Mr. OWENS.
H.R. 2376: Mr. ROTHFUS.
H.R. 2377: Mr. MULVANEY, Mr. DENT, Mr. CALVERT, Mr. AUSTIN SCOTT of Georgia, and Mr. ISSA.
H.R. 2387: Mr. BISHOP of New York.
H.R. 2459: Ms. KUSTER.
H.R. 2523: Ms. CLARK of Massachusetts and Mr. SCHRADER.
H.R. 2536: Mr. SCHWEIKERT.
H.R. 2537: Mr. STOCKMAN.
H.R. 2591: Mr. CAMPBELL.
H.R. 2773: Mr. WALZ.
H.R. 2825: Mr. SCOTT of Virginia.
H.R. 2901: Mr. SCHIFF.
H.R. 2919: Mr. PETERSON and Mr. BISHOP of Utah.
H.R. 2932: Ms. CLARKE of New York, Mr. BLUMENAUER, Mr. CÁRDENAS, Ms. CLARK of Massachusetts, Mr. CLAY, Mr. CLEAVER, Mr. DANNY K. DAVIS of Illinois, Mr. DELANEY, Ms. DUCKWORTH, Mr. FOSTER, Mr. GUTIÉRREZ, Mr. HINOJOSA, Mr. HONDA, Ms. LEE of California, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Mr. PALLONE, Mr. PASTOR of Arizona, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. SCHWARTZ, Mr. DAVID SCOTT of Georgia, Ms. SEWELL of Alabama, Mr. SWALWELL of California, Ms. TITUS, Mr. VAN HOLLEN, Mr. VISCLOSKY, Ms. WATERS, Mr. YARMUTH, Mr. BARROW of Georgia, Mr. KIND, Mr. GRIFFITH of Virginia, Mr. LAMBORN, Mr. PALAZZO, Mr. SCHWEIKERT, Mr. YODER, and Mr. FITZPATRICK.
H.R. 2939: Mr. BARBER, Mr. FATTAH, Mr. BILIRAKIS, Mr. QUIGLEY, Mr. ROSS, and Mr. MCHENRY.
H.R. 2959: Mr. JOYCE, Mr. SMITH of Nebraska, and Mr. TIBERI.
H.R. 2992: Mr. COLLINS of Georgia.
H.R. 2995: Mr. STIVERS.
H.R. 2996: Mr. MARCHANT.
H.R. 3086: Mr. REED, Mr. HURT, Mr. MAFFEI, Mr. DAINES, Mr. THOMPSON of California, Mr. YODER, and Ms. JENKINS.
H.R. 3155: Mr. LANCE and Mr. LONG.
H.R. 3179: Mr. HANNA.
H.R. 3180: Mr. COFFMAN.

H.R. 3186: Ms. FRANKEL of Florida.
H.R. 3222: Mr. HOLT.
H.R. 3305: Mr. HUNTER.
H.R. 3318: Mr. ENYART and Mr. MCNERNEY.
H.R. 3384: Mr. WALBERG.
H.R. 3392: Mr. ROSS.
H.R. 3395: Mrs. NEGRETE MCLEOD.
H.R. 3461: Mr. PASTOR of Arizona.
H.R. 3481: Mr. MCGOVERN, Mr. KLINE, Mr. FORTENBERRY, Mr. COOPER, Ms. BROWNLEY of California, Mr. COOK, Mr. KEATING, and Mr. MILLER of Florida.
H.R. 3489: Ms. TITUS.
H.R. 3494: Mr. QUIGLEY, Ms. MOORE, Mr. CICILLINE, and Mr. SCOTT of Virginia.
H.R. 3505: Mr. RIBBLE and Mrs. BEATTY.
H.R. 3525: Mr. PITTENGER.
H.R. 3544: Mr. SCALISE.
H.R. 3546: Mr. COURTNEY.
H.R. 3560: Mr. SERRANO and Mr. PASTOR of Arizona.
H.R. 3600: Mr. MARINO, Ms. EDWARDS, and Mr. COLE.
H.R. 3601: Mr. NUGENT.
H.R. 3678: Mr. DUNCAN of Tennessee.
H.R. 3686: Mr. SALMON and Mr. BISHOP of Utah.
H.R. 3698: Mr. CONAWAY.
H.R. 3749: Ms. CASTOR of Florida.
H.R. 3782: Ms. MCCOLLUM.
H.R. 3836: Ms. JENKINS, Mr. NEAL, and Mr. TURNER.
H.R. 3867: Ms. ESHOO, Mr. DOYLE, Mr. LARSON of Connecticut, Mr. O'ROURKE, Mr. KILDEE, and Mr. GARCIA.
H.R. 3877: Mr. HOLT.
H.R. 3897: Mr. NEAL, Mr. BRALEY of Iowa, and Mr. MCDERMOTT.
H.R. 3930: Mr. BARTON, Mr. THOMPSON of Pennsylvania, Mr. TAKANO, and Mr. COTTON.
H.R. 3965: Mr. VISCLOSKY.
H.R. 3988: Mr. GEORGE MILLER of California.
H.R. 3992: Ms. BONAMICI.
H.R. 4026: Mr. WAXMAN, Ms. JACKSON LEE, and Mr. MCNERNEY.
H.R. 4031: Mr. TIBERI.
H.R. 4035: Mr. HINOJOSA.
H.R. 4041: Mr. MORAN and Mr. SWALWELL of California.
H.R. 4042: Mr. GRIFFIN of Arkansas.
H.R. 4045: Mr. BERA of California, Mrs. BACHMANN, Mr. KING of Iowa, Mr. DIAZ-BALART, Mr. DUNCAN of South Carolina, Mr. FLEISCHMANN, Mr. FORTENBERRY, Mr. GRIMM, Mr. KELLY of Pennsylvania, and Mr. YOHO.
H.R. 4057: Mr. CONYERS and Mr. LEVIN.
H.R. 4060: Mr. ROYCE and Mr. HIGGINS.
H.R. 4092: Ms. KUSTER.
H.R. 4107: Ms. EDWARDS.
H.R. 4117: Mr. PIERLUISI.
H.R. 4119: Mr. HONDA.
H.R. 4135: Ms. JENKINS, Mr. SHUSTER, and Mr. DESJARLAIS.
H.R. 4139: Mr. BRIDENSTINE, Mr. HUNTER, and Mrs. CAPITO.
H.R. 4148: Ms. CLARK of Massachusetts, Mr. FARR, Mr. O'ROURKE, Ms. SCHWARTZ, Mr. TIERNEY, Ms. SHEA-PORTER, Ms. HANABUSA, and Mr. HOLT.
H.R. 4149: Mr. HINOJOSA and Mr. BUTTERFIELD.
H.R. 4151: Mr. COOK.
H.R. 4154: Mr. PERRY.
H.R. 4162: Mr. OWENS.
H.R. 4188: Mr. GERLACH, Mr. BOUSTANY, Mr. BUCSHON, Mr. BARBER, Mr. REED, Mr. LATTA, and Mr. WENSTRUP.
H.R. 4193: Ms. NORTON.
H.R. 4209: Mr. O'ROURKE, Mr. DAVID SCOTT of Georgia, Ms. DELBENE, Mr. HOLT, Mr. MCGOVERN, and Ms. TSONGAS.
H.R. 4213: Mr. PETERSON.
H. J. Res. 68: Mr. YOUNG of Indiana.
H. Con. Res. 61: Mr. VARGAS and Mr. BERA of California.
H. Con. Res. 91: Mr. GRIJALVA, Ms. HANABUSA, and Mr. SCHIFF.
H. Res. 30: Mr. KIND.
H. Res. 109: Mr. ELLISON and Mr. PERRY.
H. Res. 418: Mr. PETERSON.
H. Res. 428: Mr. BROUN of Georgia.
H. Res. 456: Mr. MILLER of Florida and Mr. WALZ.
H. Res. 484: Mr. ELLISON, Ms. LOFGREN, Mr. RANGEL, and Mrs. DAVIS of California.
H. Res. 494: Mr. PIERLUISI, Mr. RUNYAN, Mr. SHERMAN, Mrs. ELLMERS, Mr. RUSH, Mr. SHIMKUS, Mr. CASSIDY, Mr. HALL, Mr. JOHNSON of Ohio, Mr. PAYNE, Mr. MARINO, and Mr. NOLAN.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

72. The SPEAKER presented a petition of the City of Lauderdale Lakes, Florida, relative to Resolution No. 2014-09 supporting the Congressional Democrats' proposal to raise the minimum wage to Ten and 10/100 ($10.10) Dollars per hour; to the Committee on Education and the Workforce.

73. Also, a petition of Patchogue-Medford Schools, Patchogue, New York, relative to three resolutions passed buy the Board of Education; to the Committee on Education and the Workforce.