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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 4, 2015.

I hereby appoint the Honorable GLENN THOMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

THIRTY-EIGHT PERCENT OF THE COUNTRY

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

Mr. GUTIÉRREZ. Mr. Speaker, I would like to congratulate the House of Representatives, the Republican Conference, and my friend PAUL RYAN for his election to be Speaker of the House. Those on the other side of the aisle are lucky to have him.

It is sad that he had to promise Members of his Conference in writing to not address a national issue on behalf of the American people. He had to swear that he would not allow a vote on immigration reform as long as President Obama, well, is President Obama. The new Speaker had to promise to put party unity ahead of national public policy in order to be elected Speaker.

One of my colleagues from Alabama, who was so vehement in his opposition to immigration, came to the floor last week to read Speaker RYAN's pledge into the CONGRESSIONAL RECORD.

So the Congress that did nothing on immigration reform for the last 2 years will do nothing for the remainder of the President's term. It is really stunning. You must promise to do nothing in order to be Speaker of the House of Representatives.

Maybe those on the other side of the aisle will come up with a new oath of office for leadership positions: Raise your right hand and repeat after me, they will say. I swear I will not let anything happen on my watch. I will faithfully uphold and defend the principles of the do-nothing Congress and pledge allegiance to the do-nothingness for which it stands; that I will ignore all cries for help, no matter how loud from the American people; that I will not let public policy get in the way of party politics; and that party unity is more important than the United States of America, so help me Tea Party.

Why would one faction within the Republican Party demand a promise from the new Speaker that he not bring up any immigration legislation to the floor? Because the opponents of immigration and immigration reform would lose. They must demand from the Speaker that the majority not rule in the House of Representatives because the opponents of immigration know they are actually the minority.

This is a telling moment for the Republican Party, and it is not confined to immigration. The majority of the country supports Planned Parenthood continuing to provide basic health services and contraception to women. But playing to a smaller segment of their base, Republicans threaten to close down the government in order to block its funding. They want the minority to rule, and they want the tail to wag the dog.

On the environment, in the wake of decades of scientific evidence that human beings have helped to cause climate change, what is the Republican response? Do nothing. It is a liberal hoax, they say. We can buy another beach house farther inland when the beach house is, well, farther inland.

Members on the other side of the aisle celebrate the antics of a county clerk who refuses to follow the law and do her job, which includes issuing marriage licenses to two men or two women who want to spend their lives together.

Maybe House Republicans think they are standing on principle, but the majority of the country has been fighting against exclusion, second-class treatment, and bigotry for decades. The rest of us have embraced equality. We support voting rights, the same pay for the same work, and police in communities that protect and serve, not just stop and frisk.

Here in Congress, as we saw last week with the discharge petition to preserve the Export-Import Bank, sometimes the majority can break the gridlock of this minority and actually take action.

As we saw last week on the bipartisan budget and debt ceiling vote, sometimes Republican leaders take action for the good of the country, despite the calls from the do-nothing caucus, well, to do nothing.

On all these matters, do nothingness comes with a cost. It is the cost of deported immigrants, and businesses that cannot hire people legally, of women who are denied lifesaving health screenings, honoring families as first-class citizens no matter who heads them, a cleaner planet, and safer neighborhoods.

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There is a political cost as well. A colleague from South Carolina summed it up in the documentary ''Immigration Battle'' on PBS Frontline, which I also appeared in. Addressing a group of Republican voters in his district, Congressman MICK MULVANEY said, ''At some point, we are going to have to figure out that if you take the entire African American community and write them off, take the entire Hispanic community and write them off, take the entire Libertarian community and write them off, take the entire gay community and write them off, what is left? About 38 percent of the country.'' The Congressman concludes by saying, ''You cannot win with 38 percent of the country.'' You want to know something? He is right.

We know from the environment, from the fight for marriage equality, the fight for civil rights, the fight to modernize our immigration system, that taking no action is precisely the problem.

I think the new Speaker understands this, and someday I hope my colleagues on the other side of the aisle agree with him and let the majority rule in the people's House.

THE AMERICAN CHESTNUT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to recognize the efforts in Pennsylvania and Pennsylvania's Fifth Congressional District to reintroduce the American chestnut tree.

Before the 1900s, the American chestnut was the dominant tree in the eastern United States. In fact, in my home State of Pennsylvania, it comprised roughly 25 percent of all hardwoods. Blight struck these trees beginning in 1904, and by 1950, the American chestnut was nearly wiped out of our forests.

Mr. Speaker, efforts over the past several years have focused on reintroducing this hardwood, the American chestnut, by making it more resilient to blight. I am proud to say that reintroduction efforts are taking place at several sites in Pennsylvania's Fifth Congressional District in Centre County, Clinton County, and Elk County.

This past week, the Pennsylvania State University's chapter of the American Chestnut Foundation held its annual meeting, highlighting the work of researchers, along with the contributions of volunteers, to the reintroduction of the American chestnut.

As chairman of the House Agriculture Subcommittee on Conservation and Forestry, I commend those advocates for their dedication, their research, their efforts to the reintroduction of this species; and I look forward to lending my support for bringing the American chestnut back.

CLIMATE CHANGE AND BIODIVERSITY

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

Mr. QUIGLEY. Mr. Speaker, John Muir, a naturalist, author, and environmental philosopher, once said, ''When we try to pick out anything by itself, we find it hitched to everything else in the universe.'' This couldn't be truer when it comes to the effect climate change is having on the biodiversity of our planet.

We can't solve the climate change crisis without realizing how interconnected its impacts truly are. The Intergovernmental Panel on Climate Change has predicted, assuming that current trends in burning fossil fuel continue, by the year 2100, the surface of the Earth will warm on an average of 6 degrees Celsius. That kind of potential for rapid and lasting climate warming poses a significant challenge for biodiversity conservation.

It may seem obvious, but the places that plants and animals can exist are limited by factors such as sunlight, precipitation, and temperature. A polar bear can't exist in Brazil, just as a lion can't exist in Antarctica. You won't find palm trees in Greenland, just like you won't find pine trees in Argentina.

So, as climate changes, the abundance and distribution of plants and animals will also change. Climate change alone is expected to threaten approximately one-quarter, possibly more, of all species on land with extinction by the year 2050. That means climate change will surpass habitat loss as the biggest threat to life on land.

Because of climate change, birds lay eggs earlier in the year, plants bloom earlier, and mammals come out of hibernation sooner. These changes may sound insignificant, but they drastically impact the life cycle of each population and, therefore, any species that rely on it. We are literally altering the timeline of nature.

The need to protect plant and animals species might not be a top priority for some of my colleagues, but I urge them to consider the other impacts. Twelve plant species provide approximately 75 percent of our total food supply. What is not generally appreciated is that these relatively few species depend on hundreds and thousands of other species for their productivity.

Our food supply is not only based on the food we eat, but insects and birds that pollinate crop flowers and feed on crop pests. For example, more than 80 percent of the 264 crops grown in the European Union depend on insect pollinators.

A lack of biodiversity can lead to a decreased ability to produce medicine, as key plants are lost to extinction. And without specific plants, such as grasses and trees that have evolved to resist the spread of wildfires or mitigate the impacts of flooding, we are losing a key shield in protecting against natural disasters. These are nature's defenders, and we are losing them.

In my own backyard, these climate changes are expected to impact regional biodiversity in a variety of direct and indirect ways. The Chicago wilderness, which expands across Illinois, Indiana, Wisconsin, and Michigan, will likely experience changes in the timing of natural events, such as blooming, migration, and the onset of hibernation. It could also cause a loss of suitable habitat and a disruption of ecological communities due to different responses to climate change.

These impacts are not limited to our land, plants, and animals. Changes in biodiversity will have significant impacts on our waterways as well. In the Great Lakes, native plant and animal species will differ wildly in their responses to changing stream temperature and hydrology. Wetland plant communities are continually adapting to changing water levels. However, the extreme changes we see as a result of climate changes, such as droughts and flooding, create more unstable environments for species.

Protecting our biodiversity does more than save plants and animals. It protects agriculture, medicine, and the overall safety of our communities.

From the beginning of time, nature has fed us, cured us and protected us. Now it is our turn. If we let one piece fail, we are putting the entire system at risk. We need to protect plant and animal species from an ever-changing climate if we want to secure a healthy and prosperous future for our children.

I urge my colleagues to stop ignoring the science and support Federal legislation that acts on climate change and addresses these grave biological threats.

PERSONAL FAITH

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

Mr. FORBES. Mr. Speaker, today as I stand on this great floor, a place that we call the people's House, I look across and there is a plaque of Moses, the great law-giver. While he may not be staring me in the eye, he stares at every Speaker, who stands where you stand today, directly in the eye. Right above you, there is our national motto that is even above the flag of the United States that says, ''In God we trust.''

I come here this morning because in the State of Washington in Bremerton School District, they take a different interpretation of that motto. You see, they believe there that you can trust in God as long as you don't trust too much; that you can be grateful to that God as long as you are not too grateful.

Last week, they put on administrative leave a young football coach, Coach Joe Kennedy, not because he molested a child, not because he wasn't

a winning football coach, not even because he didn't have good service—because everyone agreed he had exemplary service for the last 8 years—but the reason was simply because he dared to offer a personal, private prayer at the conclusion of a football game thanking God for protecting his players and the players on the other football team.

Now, the Bremerton School District is very noble because they say Coach Kennedy can exercise his faith even while on duty as long as no one else can see it.

Mr. Speaker, as the Bremerton School District cites cases, they do like so many anti-faith groups do. They cite the cases, but it is just that those cases don't apply to the facts in this particular situation at all.

This coach is not asking to pray with students at a mandatory pregame meeting. He is asking for his freedom to quietly and personally offer prayer and thanks for his team and the safety of his players after the game is over and the players are heading to greet their families and friends in the stands.

As a Member of Congress, my faith is not some kind of coat that I take off when I walk into the Capitol Building to perform my legislative duties. And as a coach, Coach Kennedy's faith is not something he sheds when he walks onto the field.

The Constitution doesn't require you to be sequestered to a private room out of sight and earshot to offer a prayer. It protects the right of an individual to visibly express his or her faith, just like it protects the right of a Muslim teacher to wear her head scarf or a Jewish teacher to wear his yarmulke.

□ 1015

Mr. Speaker, that is why I rise today, because I hope all across this country Americans will stand with Coach Kennedy, as we do today, and, in so doing, send a message to the Bremerton School District in the State of Washington that when they trample on even one young football coach's religious liberties and religious freedom, they trample on the religious freedom and the religious liberty of all of us.

HONORING JOHN CUSHING ESTY, JR.

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

Ms. ESTY. Mr. Speaker, I rise today to celebrate and reflect on the life of a great man, John Cushing Esty, Jr., an education leader, a reformer, a man of intellect, wit, and joy, a devoted family man, and my beloved father-in-law of 31 years.

John Cushing Esty was the oldest of four boys. He was a ham radio operator and built radios. He learned languages, was a gifted student, a lover of education and words, and he lived a life devoted to excellence in education. He was committed to educational opportunity, although he attended some of the most elite private schools in the country. But as a leader of those schools, he pushed them into the modern era.

In the Air Force, during the Korean War era, he taught flight nurses—hundreds at a time—not, as he said, exactly tough duty.

As a young dean at Amherst College, I learned about his commitment to equal opportunity for all students from none other than my physician in the 1990s, a man named Marshall Holley, an African American scholarship student in the 1950s, one of three students in his class at Amherst College. He got in trouble for having told off a professor, a professor who he believed to be racist. He risked losing his scholarship when he received a failing grade.

He was sent to see my father-in-law. My father-in-law, as a young dean, said: You know, Marshall, you weren't wrong to tell him off. He was wrong to treat you that way, but you were unwise to tell him off before you got your final grade. I will fix your grade, but you have to be wiser in the future.

As headmaster of the Taft School in my district, Watertown, Connecticut, in the 1960s—a tumultuous time—John Esty led as an education leader, but he also led in the cause of what at the time was quaintly called coeducation. Much over the objection of many alumni, some of the present students and faculty, he pushed for coeducation, and successfully so. He did it because he knew that educational opportunity and excellence could only happen when opportunities were provided for young women as well as young men.

As a trustee of Amherst College, his alma mater, he successfully fought for that institution to become coeducational over the objection of, among others, his own father.

As a reformer, as the head of the National Association of Independent Schools, he helped create a program called A Better Chance. That took his commitment to equal opportunity for young men and women of disadvantaged backgrounds to lead to a national effort in scholarship programs around this country.

One of those examples of A Better Chance scholar is Governor Deval Patrick of Massachusetts, who credits his time as A Better Chance scholar at Milton Academy having transformed his life from the south side of Chicago to become one of this country's leaders. Similar scholarships also were adopted in other schools around the country, including one Punahou School in Hawaii, whose scholarship student Barack Obama graduated in 1979.

My father-in-law devoted his life to excellence in education, but he lived the life as well. Not only did he care about excellent education in private schools, but he fought for it in public schools. He served on the elected board of education in his town of Concord, Massachusetts, and all four of his sons went to public schools.

He was a man of merriment and wit and joy. He loved learning. We first met in 1978 and bonded over an argument over the correct pronunciation of a word. In classic John Esty style, he went to the dictionary that was in the dining room, and we looked up the word. I happened to be right. I don't remember the word. He doesn't, either. But I pronounced it correctly, and he knew that we had bonded for life.

He loved children, especially his grandchildren. He told them amazing stories often, getting them so worked up they wouldn't go to bed, but they loved his story, especially Jimmy Bond, the young James Bond stories, which would have them in delights.

John, you will be loved and missed by Katherine Esty, your wife of 60 years, and all four of your sons: my husband, Dan; my brother-in-law, Paul, and his wife, Vanda; my brother-in-law, Ben, and his wife, Raquel; my brother-in-law, Jed, and his wife, Andrea; the many grandchildren: Sarah, Thomas, Jonathan, Marc, Julie, Victor, Jonah, Maya, Aliya, and Asher.

You shared your love of life, of music, of stories, of education, and of making a difference with all of us. You lived a full 87 years, a committed servant of this great country, a believer in educational opportunity, and a gift for joy. You will be greatly missed. Thank you, and Godspeed, John Esty.

PEACE OFFICERS ARE A CUT ABOVE THE REST

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

Mr. POE of Texas. Mr. Speaker, recently a Hollywood filmmaker joined protesters and marched in an antipolice rally in New York City.

He referred to peace officers as murderers. His hateful rhetoric called for violence against law enforcement, saying: ''I have to call a murderer a murderer, and I have to call a murder a murder,'' adding that he is on the side of the ones who confront and are confronted by police. His comments encourage mischief and crimes against peace officers.

For the haters to justify lawlessness in response to perceived lawless acts by the police is idiotic. Bad cops, like bad citizens, should face a judge in a court of law. However, communities cannot be burned, looted, or destroyed by cop haters because some police officer allegedly committed a crime. Nor can crimes against police be encouraged, tolerated, or justified because some other officer is accused of doing something improper. Otherwise, there is mob rule.

The filmmaker, whose occupation is dedicated to the fake, the false, and to fiction, made comments 1 week after New York City lost one of its finest. Officer Randolph Holder was gunned down—really, he was assassinated by a ruthless outlaw—and he was recently buried. The filmmaker's self-righteous

indignation toward law enforcement only fuels the fire and the war on police. It promotes anarchy, chaos, and lawlessness.

The war on police has resulted in the death of 31 police officers killed in the line of duty this year, 31 officers who gave their life and their blood to protect and serve the rest of us. Cop haters ought to be ashamed.

The New York police union has called for a boycott of the Hollywood filmmaker's films which, interestingly enough, are riddled with extreme violence, racist remarks, and more hate toward police.

It is ironic, Mr. Speaker, that society expects police officers to protect them, but they will be the first to criticize officers for doing their job.

Officers defend the thin blue line between law and the lawless. Their job is dangerous. Every day peace officers run toward chaos that everyone else is running away from.

Mr. Speaker, in my past life I was a criminal court judge and a prosecutor in Houston, Texas. For 30 years I met peace officers from all over the country. Some of those officers I met were later killed. I know peace officers from New York City, and after we get through the communication barrier—as Churchill said, we are separated by a common language—I have found them generally to be remarkable people who do society's dirty work.

Those peace officers in New York are constantly on the job, rooting out the evil in New York City, while protecting and serving New Yorkers. They go into the dark dens where crime dwells and arrest those who would do harm to others. They have a thankless job that most people in America would never do.

Mr. Speaker, this isn't Hollywood. This is real life, where situations can turn violent in an instant. There is no fake blood, makeup, or actors. These lives are real.

Antipolice comments, like these from Hollywood, should be looked at for really what they are. It is a commercial by the Hollywood film crowd to make money off of films that preach hate and violence by pandering to police haters.

Mr. Speaker, peace officers wear the badge or shield or star over their heart. It is symbolic by where it is placed. As a protector from the evils that are committed in our society by protecting the rest of us, they stand between us and those who would do us harm.

When I was a kid back in Texas, my dad and I went to a parade in a small town called Temple. As the parade was going by, my dad noticed that I was looking at a person who was standing on the corner. He wasn't in the parade. He was just watching what was taking place. It was a local Temple police officer. Back in those days they didn't really have uniforms. They wore a white shirt, a star, and a cowboy hat, and jeans.

My dad commented at that time, he said: ''If you are ever in trouble, if you ever need help, go to the man or woman who wears the badge because they are a cut above the rest of us.''

That statement was true then, and it is still true today. Mr. Speaker, peace officers are a cut above the rest of us.

And that is just the way it is.

WE MUST SERVE OUR VETERANS AS THEY HAVE SERVED US

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor all the men and women who have courageously served this country and who continue to sacrifice in order to preserve the values and the freedoms of our great Nation.

In 1919, President Wilson spoke the following words as he commemorated Armistice Day, better known to us all as Veterans Day, for the very first time:

''To us in America, the reflections of Armistice Day will be filled with solemn pride in the heroism of those who died in the country's service and with gratitude for the victory.''

Now, of course, that was 1919, and it was a day when Americans reflected on the lives which were lost during World War I, ''the war to end all wars.'' However, then came World War II and America's engagement in Korea. Congress voted to redesignate November 11 as Veterans Day in honor of all our veterans from all our wars.

Today, of course, there are over 1.4 million men and women in Active Duty, many of whom have completed multiple deployments in areas of the world where there is mass chaos, which is foreign to many of our young servicemembers. Unfortunately, these servicemembers bring this chaos home, both physically and mentally.

Here are some staggering numbers from a recent report by the University of Southern California:

Over two-thirds of today's veterans report difficulties adjusting to civilian life.

Nearly 8 in 10 servicemembers leave the military without a job lined up.

In the area I represent, in Orange County, nearly a quarter of the veterans with jobs are earning at or below the poverty level.

These numbers, quite frankly, are very unacceptable.

In 2014, an estimate of almost 50,000 veterans were living in shelters, on the streets, or in other places not meant for human population. This is 11 percent of the adult homeless population. According to a number of studies, both male and female veterans are more likely to be homeless than their nonveteran counterparts.

How does that make sense? These men and women are brave. They are skilled. They are critical thinkers. They are dedicated. They are loyal. They love their country.

So what has gone wrong? We must not only commit to figuring out how we are failing these young men and women, but once we do, we have to be held responsible for providing the necessary resources to help them succeed outside of the military.

I understand this is a significant commitment at a time of tight budgets and the changing nature of war, and that there is no one-size-fits-all solution. In California, for example, there are 1.8 million veterans. We make up 8 percent of the total U.S. veteran population.

According to the State of California, California anticipates receiving an additional 30,000 discharged members of the armed services each year for the next several years. We have to be ready. We have to be ready for those 30,000 veterans coming along and also with the 1.8 million who already exist in California.

As these members have served their country, so must we serve them. According to the Veterans Administration, there are 22 suicides a day of our veterans.

□ 1030

We must once again look at the causes of that staggering number. We have identified post-traumatic stress disorder and traumatic brain injury as main triggers for suicide, et cetera, but we have got to do better.

Twenty percent of new recruits will also be women. Fifteen percent of the 14 million Active Duty forces are currently women. And over 280,000 women have served in Iraq and Afghanistan. We have to do different things for women veterans because it is not the same as the needs of male veterans.

As we all know, the VA must be looked at and we must make appropriate changes to deal with the backlog, expedite disability claims, and to ensure that all veterans receive medical assistance in a timely manner.

Lastly, we must protect what we fought hard to achieved for them: education when they return back. We must ensure that military educational benefits do not go to waste.

Next Wednesday, once again, we celebrate Veterans Day, and I urge my colleagues to work with me to ensure that we can be proud in the services and the help that we give our veterans, just as they have been proud to serve all of us.

God bless.

IRAN SINCE THE DEAL—CONGRESS MUST STAY ENGAGED

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

Mr. POMPEO. Mr. Speaker, just a little over 100 days ago, the Obama administration completed an agreement with Iran on their nuclear program. I strongly opposed the joint plan of action throughout its consideration in Congress. And indeed, Congress never approved the deal.

Nothing since those 100 days have now passed lead me to have any different view of the impact of that deal on the United States of America. And yet the President appears prepared to continue to implement the deal on its terms, at least as he understands it.

And while media attention may have shifted away to other things, it is incumbent upon this body, the United States Congress, to remain vigilant and to ensure that America's vital national security interests are not damaged beyond repair in the execution of the Iran deal.

Indeed, in those 100 days, it has become clear that this deal is so badly conceived and America's position so muddled and the text so poorly drafted that the parties cannot even agree what they executed 100 days ago.

For example, Secretary Kerry, the principal negotiator on behalf of the United States and the P5+1, said on July 23 in front of the House Foreign Affairs Committee, ''We will not violate the JCPOA if we use our authorities to impose sanctions on Iran for terrorism, human rights, missiles, or any other nonnuclear reason.''

But, on October 21, Iran's Supreme Leader, Ayatollah Khamenei, in a letter to President Rouhani ostensibly approving the JCPOA, said, ''Throughout the 8-year period, any imposition of sanctions at any level and under any pretext, including repetitive and fabricated pretexts of terrorism and human rights, on the part of any of the countries involved in the negotiation will constitute a violation of the JCPOA.''

Members of Congress and the American people were promised repeatedly that this deal was only about Iran's nuclear program, and that America's ability to implement sanctions based on Iran's continued terrorist activities, ballistic missile ambitions, and other nonnuclear issues would not be impeded. But it now appears that the only man in Iran whose interpretation matters—the Ayatollah Khamenei—believes 100 percent the reverse of that.

This isn't a small disagreement. This isn't about where you put a semicolon or a comma. This isn't a small technical detail. This goes to the very heart of the deal between the P5+1 and the Iranian Republic.

Iran's refusal to abide by the written terms of the agreement as it relates to sanctions seems, on its face, to be an irresolvable conflict on a key issue—and Congress must lead. Congress must stand ready, willing, and unified in combating aggression by a regime who continues to view America as the ''Great Satan,'' and has been emboldened by this deal.

Rather than moderate, the regime has continued to flout U.N. resolutions, kidnapped more Americans, and stepped up its efforts to dominate the region. Here are several examples.

On July 24, 10 days after the JCPOA was announced, Iran's chief exporter of terrorism, Quds Force Commander Qassem Soleimani, traveled to Moscow, in direct violation of a U.N. Security Council resolution.

In September, it was reported that, in anticipation of sanctions relief, the Iranian regime has significantly increased funding for terrorist groups Lebanese Hezbollah and Hamas, two organizations that have American blood on their hands. There is no doubt that these groups have turned their eyes to the West and to Israel as they seek to grow their deadly and destabilizing force in the Middle East, with no moderation, after they signed to this deal.

On October 10, Iran successfully test-fired a next-generation ballistic missile, capable of striking Israel, in another clear violation of U.N. Security Council resolutions.

And in just the last weeks, the regime kidnapped yet another American citizen without justification, Siamak Namazi, who joins Pastor Saeed Abedini, former Marine Amir Hekmati, and Washington Post reporter Jason Rezaian, in unjust captivity in Iran. There is every reason to believe there will be more.

Iran has firmly set itself against American interests in Syria as well. A ground force of over 2,000 Iranian forces continues to fight against American interests in Syria, supporting dictator Bashar al-Assad, who our President has said repeatedly must go.

I came to the floor today because it is the 36th anniversary of the Iranian hostage crisis back in 1979. Anyone who had hoped that the Iran deal with the United States would portend a new era of openness between Iran and the United States has been disappointed and jolted beyond all imagination in the past 100 days.

The Iranian regime clearly intends to test our willingness in Congress to defend America's interest by pushing the limits of the JCPOA, and beyond. Iran also intends to intensify their conflict with the West, imbued with a new legitimacy. It now has $150 billion.

We, the Congress, have a duty to not let the passage of time, the loss of media interest, and the difficulty of the task to prevent us from protecting America's interest Iran's aggression—even if we must battle our own President.

CARE FOR ALL VETERANS ACT

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Madam Speaker, as we look forward to celebrating Veterans Day on November 11, let me just thank every man and woman serving in our military and every veteran for your service to our country. You represent and reflect the very best in our country's values and ideals.

This month, we also celebrate National Family Caregiver Month. Caregivers play a vital role, providing care and a sense of comfort and peace at trying times for Americans all over our country.

While we recognize all caregivers, I rise today to specifically speak about individuals who dedicate their livelihood, love, and support to improving our veterans' quality of life.

Caregivers of veterans assist with personal care needs and support their daily activities, including mental and physical therapies, managing of finances, transportation, and other essential duties.

In 2010, Congress passed the Caregivers and Veterans Health Services Act, marking the needed investment in supporting the family caregivers of our veterans by creating the VA Caregiver Support program. This law, while beneficial, limits eligibility of the program to post-9/11 veterans only.

I believe we should not limit the care of a veteran based on their period of service, but instead make the program accessible to veterans of all service areas, particularly our elderly veterans and their caregivers who presently do not have the benefit. In an effort to open the program to all veterans, I joined Congresswoman ELIZABETH ESTY to introduce the CARE for All Veterans Act, H.R. 2894.

Earlier this year, I attended a town hall at the Southeastern Veterans' Center in Spring City, Chester County, where a Vietnam war veteran asked me why his caregiver could not have access to the support provided by the VA Caregiver Support program.

I want to thank that veteran for raising this issue. On behalf of the estimated 214,000 pre-9/11 veterans in Pennsylvania, including 11,000 in my district alone, and veterans all across this country, I introduced the CARE for All Veterans Act with Congresswoman ESTY. This legislation is a meaningful step to ensure our veterans receive the quality of care they need in the comfort of their own home from their loved one.

H.R. 2894 responsibly grows the program to create an equitable system for our Nation's veterans and provide additional assistance to primary family caregivers of eligible pre-9/11 veterans.

A coalition of veterans groups support the CARE for All Veterans Act, including the American Legion, Military Officers Association of America, Disabled American Veterans, AMVETS, Paralyzed Veterans of America, Veterans of Foreign Wars, and VetsFirst.

I encourage my colleagues to cosponsor this legislation and, when the time comes, support this legislation on the House floor. Our focus must obviously be on making sure our veterans receive the care and services need. That means ensuring their loved ones and caregivers have the proper training, support services, travel expenses, health care, and respite care to provide the best in-home care for veterans. All caregivers, no matter the age of the veteran they serve, should have access to the VA Caregiver Support program.

During a month when we recognize Veterans Day, we must also take a moment to recognize those who play an instrumental role in the life of a veteran: their caregivers. By passing this bill, we could make a big difference for the veteran and their caregiver.

I am grateful to my constituents for bringing this need to my attention, and I call upon my colleagues to join me in this effort in supporting H.R. 2894.

DEFEATING ISIS AND PRESIDENT'S SYRIA STRATEGY

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

Mr. YOUNG of Indiana. Madam Speaker, I rise today on behalf of countless Hoosiers who are concerned for our troops. Like many Americans, we are increasingly dismayed by the Obama administration's incoherent strategy to defeat ISIS and protect American interests around the world.

As someone who served this country in the United States Marine Corps, and now as an elected Representative, I take seriously our responsibility here in Congress to demand war strategies that put American military personnel in a position to successfully complete their missions. This responsibility to our troops—to set them up for victory—has contributed to a new level of frustration felt by many of us over President Obama's disjointed foreign policy decisions in the Middle East.

Just last Friday, without any input from Congress, and absent any form of public debate, a White House spokesperson announced to the world that President Obama was authorizing the deployment of U.S. special operators directly into the fray in Syria.

Rather than hear it straight from our Commander in Chief, it took President Obama 3 full days to appear publicly and discuss his decision to escalate U.S. involvement and put more American boots on the ground.

On the one hand, I applaud the administration for any attempts to degrade the capabilities of ISIS and stabilize a war-torn Syria. However, it remains unclear what these brave special operators have been asked to accomplish. And, what strategy will enable a few dozen U.S. special operators to decisively drive ISIS from their stronghold in Raqqa?

To be clear, I know many of these valorous special operators personally. I am familiar with their remarkable ability to accomplish seemingly impossible missions, even with the odds stacked against them. But these warriors are not magicians. They are not a magic elixir capable of turning the tide of a 4-year, multifaceted civil war. They must be empowered to win.

President Obama tells us the U.S. mission is to degrade and defeat ISIS. But for that to succeed, he must articulate a broader strategy for the remaining 15 months of his tenure as Commander in Chief.

As it currently stands, limited airstrikes and a handful of special forces operators will not sufficiently empower the United States and our partners to initiate change in the region.

Unfortunately, I fear that this marks yet another instance of the President dictating U.S. defense policy by popular opinion. This is unfair to our men and women in uniform, their families, and it is unfair to all Americans.

My fervent hope is that during the close of this administration, a coherent, longer-term strategy is developed that empowers the greatest military in the world to protect American interests and to bring stability to a region desperately in need of peace.

□ 1045

HONORING OUR VETERANS

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

Mr. YOUNG of Iowa. Mr. Speaker, I rise today, as we approach Veterans Day, to honor the brave men and women who have served our country in uniform.

Now, earlier this year, I met with a group of young Iowans in Greenfield, Iowa, belonging to the Junior Optimists Club. They found a truly unique way to pay tribute to our Iowa veterans.

The Sidey family owned and published the Free Press in Greenfield, Iowa, for over 125 years. The Free Press would publish in their newspaper letters Iowa servicemembers sent home to their families over the years.

The Junior Optimists I met with went through the Sideys' collection of letters from World War II from soldiers. They picked out the ones they found most interesting or compelling and read them aloud at a Flag Day celebration that I was fortunate to attend.

I want to share one here, and I will put some others in the RECORD here with my colleagues in the House of Representatives, and enshrine them in the CONGRESSIONAL RECORD so that we, and future generations, may always remember the very real and human struggles our men and women face as they leave their loved ones and family behind to bravely secure and serve our country with dignity, honor and distinction.

I would like to read one of these letters, written by Lieutenant Kenneth Eatinger of Adair County, Iowa.

July 23, 1943.

Dear Little Brother:

I hope and trust you will be able to read this all by yourself, but if you can't, mother will read it to you and you will be able to save it and read it yourself at a later date after you have learned to read better.

Sonny, I know you miss me. I miss you too. It is too bad this war could not have been delayed a few more years so that I could have been with you a while longer and do all the things I had planned to do with you. But I suppose we must be brave and put those things off for now.

If I could just get home once more to see you and all the folks again and have them meet my little wife and baby, I wouldn't ask for anything more.

When you are a little older, you will know why your brother had to leave home for so long. You know we have a big country and we have big ideals as to how people should live and enjoy the riches of it and how each is born with equal rights to life, freedom, and the pursuit of happiness.

Unfortunately, there are some countries in the world where they do not have these ideals, where a boy cannot grow up to be what he wants to be, with no limits on his opportunity to be a great man such as a great statesman or a businessman, a farmer, a soldier.

Because there are many people in other countries who want to change our Nation, its ideals, its form of government and way of life, we must leave our homes and families to fight.

When it is all over, your brother is going to bring his little family home to see you and Mom and Dad and Inez and all the rest. In the meantime, take good care of Mom and Dad and grow up to be a good boy and a good young man.

Study hard when you are in school. Be a good leader in everything good in life. Be a good American, strive to win, but if you must lose, lose like a gentleman, and be a good sport. Don't be a quitter, either in sports or in your business or profession when you grow up.

Get all the education you can. Stay close to Mom and follow her advice. Obey her in everything, no matter how you may at times disagree. She knows what is best and will never let you down or lead you away from the right and honorable things of life.

Little Brother, if I don't come back, you will have to be Mom and Dad's protectors when they get older because you will be the only one they have. You must grow up to take my place as well as your own in their life and heart.

Last of all, don't forget your brother. Pray for him to come back from this war, and if it is God's will that he does not, be the kind of boy and man your brother wants you to be.

Kiss Mother, Dad, and Inez for me every night. Goodbye for now, Little Brother. With love to you and all the family, Your Brother.

Mr. Speaker, these are the words of a brave man, and they ring as true today as they did over 70 years ago when they were written. They embody the ideals of this great Nation and the ethos of our Armed Forces that have fought, sacrificed, and died for our country so that we can remain free.

My friends and colleagues, next week, when we recognize these men and women on Veterans Day, look them in the eye and say, ''Thank you.'' For their bravery and sacrifices, they deserve our unwavering gratitude and respect.

May God bless them, and may God bless these United States of America.

HONORING THE SERVICE OF WILLIAM ''BRIT'' KIRWAN

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, first, I would say I was moved by the remarks of the gentleman who just spoke, and I know we all join him in his sentiments.

Mr. Speaker, I rise today to pay tribute to an individual who has made a remarkable impact on higher education in this country and in my State. He has done that for more than a half a century.

William English ''Brit'' Kirwan retired at the end of the June as chancellor of the University System of Maryland. He served as chancellor for the past 12 years, and, during that time, he oversaw the period of growth, transformation, and achievement, which included the integration of online technology with course instruction and a 24 percent increase in enrollment.

Dr. Kirwan's lifetime of service to higher education, Mr. Speaker, began in his youth, which was spent on or around college campuses in Louisville and Lexington, Kentucky, and Durham, North Carolina.

His father, Dr. A.D. Kirwan, was an accomplished educator and college administrator as well, having written and lectured in history at the University of Kentucky and later served as dean and its president.

Brit Kirwan followed in his father's footsteps, luckily for all of us, attending the University of Kentucky, and later pursuing his master's and doctorate in mathematics from Rutgers University in New Jersey.

Dr. Kirwan came to the University of Maryland College Park in 1964, a year after I graduated. He came as an assistant professor of math. After 24 years teaching in the department, and having been elevated to the department chair, and then provost, Dr. Kirwan was selected as the president of the university in 1988.

He led the university system of Maryland's flagship campus for a decade, before leaving to become president of The Ohio State University.

I think I speak for all Marylanders when I say we were very happy when he came back to Maryland. I was a member of the Board of Regents at the time, and I remember participating in a meeting when we were searching for a new chancellor.

I asked my colleagues, ''If we could get Brit to come back, what would you think?'' All of them were extraordinarily enthusiastic.

So I called his house in Ohio, and his wife, Patty, answered, and I asked her if she and Brit would be interested in returning. Patty immediately replied they would both like to be closer to their grandchildren. Luckily, they were living in Maryland.

I took that as a good sign and, a short time later, Brit was back as chancellor of the university system. He managed a network that serves over 165,000 undergraduate and graduate students at 12 universities, two regional higher education centers, and one research center. It is the 12th largest university system in America. Under Dr. Kirwan's leadership, it has become a national model for excellence in higher education, research, and applied innovation.

Dr. Kirwan has been called upon by both Democratic and Republican Presidents over the years to advise on issues relating to higher education access and performance. And certainly, he has been asked by United States Senators and Members of this House for his advice and counsel as well.

He has been committed, throughout his years as an administrator, Mr. Speaker, to the principle that education ought to be accessible to all, and it ought to be seen as a tool to help people enrich their lives for learning, while advancing their careers. Among his major priorities have been making the university campuses more diverse and making attending college more affordable.

Under his leadership, the university system built partnerships with the private sector and the State and Federal Government in order to further the cause of advanced research and innovation that has practical application for economic growth and national defense.

Last year, Mr. Speaker, I was proud to be on hand to inaugurate a new test site in southern Maryland for unmanned aircraft systems, which will help in the development of new aerospace technologies and bring business development and skilled jobs to that region.

Dr. Kirwan has always understood that we need to do more to ensure that everyone who wants to pursue higher education can do so and that our colleges and universities are helping to produce skilled innovators and workers. He knew that the university system was a partner in economic growth in our State and that university and academic institutions were partners in growing the U.S. economy.

Mr. Speaker, I have had the pleasure of working closely with Dr. Kirwan for many years, and I have seen, firsthand, his passion for higher education, his respect for faculty and staff, and his love of students.

Last week, I had the opportunity to participate in a ceremony to rededicate the University of Maryland mathematics building in honor of Dr. Brit Kirwan. That building, in which he taught mathematics, is now named in his honor for him.

All of us, Mr. Speaker, have witnessed his determination to make the university system of Maryland a source of pride for our State and for our country, and he has done so.

He has been a man who is deeply devoted to his wife, Patty, a wonderful woman, and their wonderful family and their community. Patty Kirwan is, herself, an extraordinary partner in the success that she and Brit have both achieved.

Mr. Speaker, Chancellor Brit Kirwan is a man of extraordinary intellect, vision, understanding, compassion, character, and principle. He has brought all of these traits to bear in all of the important roles he performed throughout every endeavor in his life.

On behalf of all of us who live in our State but, indeed, on behalf of all the citizens of the United States whom he has advantaged in one way or another, I thank Dr. Kirwan for his leadership on behalf of the higher education for our State and for our country.

Dr. Kirwan has stepped down as chancellor, but, Mr. Speaker, I know he will continue to lend all of his great talents to making higher education ever more effective and his country ever more successful.

Well done, Doctor.

TUBEROUS SCLEROSIS COMPLEX

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

Mr. FITZPATRICK. Mr. Speaker, tuberous sclerosis complex, or TSC, is a genetic disease which causes tumors to form in organs throughout the body, impacting the health and abilities of those born with it.

Nearly 50,000 Americans are affected by this condition, and many more cases remain undiagnosed because of lack of awareness or observable symptoms. For these individuals and their families, the fight against TSC is constant.

But in the face of this adversity, those with TSC show us strength and determination, not only to survive, but to thrive; individuals like Evan Moss from Virginia.

Evan was just 2 years old when he was diagnosed with TSC and, by age 4, was suffering up to 400 seizures a month because of his condition. But like so many with TSC, Evan's story is not defined by this impact. Now 11 years old, Evan is an accomplished author and a passionate advocate for those living with TSC.

As a member of the Congressional Rare Disease Caucus and honorary chair of the Tuberous Sclerosis Alliance, I am focused on shedding light on conditions like TSC and highlighting exceptional individuals like Evan.

The fight against TSC extends far beyond this Chamber, but each of us can play an important role in understanding and, ultimately, defeating tuberous sclerosis.

PASSAGE OF THE TRANSPORTATION BILL

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

Mr. NOLAN. Mr. Speaker, Members of the House, I would like to begin by thanking Chairman SHUSTER, chairman of the Transportation and Infrastructure Committee, and Ranking Member DEFAZIO, for bringing forth here to floor of the House a long-term transportation bill.

It is the product of numerous hearings that have been held over the last couple of years, and those hearings were interesting in that, universally, whether we were hearing from the head of the national Chamber of Commerce, or hearing from the head of the AFL–

CIO and/or the trade unions that build our infrastructure, the message was always the same.

First of all, it was a recognition of the obvious: bridges are falling down, trains are coming off the track. It is tragic and costly in terms of dollars and loss of life.

□ 1100

Secondly, it was pointed out by everybody that this failure is handicapping our economy—our ability to expand business, to create jobs, and to grow our economy.

Thirdly, everyone testified that we need a long-term surface transportation legislation so that States, communities, and our Federal transportation officials can do the kind of planning that is necessary to build the kind of transportation system that is needed for a strong economy.

Lastly, I want to point out that this legislation before us here today is the product of what has come to be known as regular order; namely, the process where important legislation for the country is brought before the appropriate committees and the committees and all the members of that committee have an opportunity to offer any ideas, any amendments that they want that they think will improve, in this case, our surface transportation system.

The fact of the matter is we have hundreds of amendments, and that committee, on which I am proud to serve, examined and considered every single one of those amendments.

Mr. Speaker, it is important to remind ourselves here that democracy is a long, arduous, and difficult process, but when you allow the members of a committee who have spent enormous amounts of time getting smart and knowledgeable about the responsibilities of that committee to come together, to offer their ideas, to have them thoroughly examined, and to have them thoroughly debated is how you find common ground. That is how you come together. That is how you build and develop respect for one another, and that is what has happened in the development of this surface transportation bill that we have before us here today.

Mr. Speaker, I congratulate the committee, and I congratulate the Congress for recognizing how important and how valuable regular order can be to the process of restoring people's confidence in the ability of the Congress of the United States to fix things, get things done, and end the gridlock. Thank you, my fellow colleagues.

REFORMING OUR CRIMINAL JUSTICE SYSTEM

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

Mr. DOLD. Mr. Speaker, I rise today to talk about an issue that we don't talk about nearly enough. Our country's imperfect criminal justice system is affecting not only the people in my district but also communities all across our Nation.

Every year the Federal Government spends more than a half trillion dollars on anti-poverty programs. The numbers show that these initiatives have not solved the problem. Today there are nearly 50 million Americans living in poverty. Over the last decade, the number of Americans living in our Nation's most impoverished communities—where at least 40 percent of the families live below the poverty line—has nearly doubled to a historic high of 14 million.

Meanwhile, the United States prison and jail population has reached an all-time high, and the number of people on probation and parole has literally doubled. This is not a coincidence, but the numbers don't even begin to tell the real story.

Solving this problem requires meaningful action and change—two things I would argue that Washington does not do so well. But rather than sitting idly by and waiting for Washington to get its act together, I have already begun taking action back home in Illinois' 10th Congressional District.

I have worked with community-level programs that have helped give people the tools that they need to be able to lift themselves out of poverty, brought in national leaders to tour our social service organizations across our district, and learned about the unique ways that these organizations are fighting poverty and working for criminal justice reform on the local level.

Recently I had the privilege to introduce Bob Woodson to a few of the inspiring local leaders who are working on these issues. The more time that I spend talking with various community leaders, the more painfully obviously the need to implement reforms to this system becomes.

One of the inspiring local groups working to fix some of the problems in our district is FIST. It stands for Former Inmates Striving Together in Waukegan. FIST works with the community to help individuals that are reentering society get what they need to reenter the workforce. It is no secret, Mr. Speaker, that most ex-convicts, sadly, end up back in prison after serving jail time. This organization, as well as others, is trying to change that trend by sharing positive stories and offering a judgment-free zone for individuals to get back up on their feet.

Far too often, Mr. Speaker, the success stories that these organizations have do not get told, and, in fact, are kept a secret. Bob Woodson said, ''People are motivated to change and improve when they are shown victories that are possible, not injuries to be avoided.''

One inspiring young man we had the privilege to meet was Darrell McBride from Waukegan. He took the time to tell us about the journey that he took to get to where he is today, and that story bears repeating. Darrell spent 8 years in prison, which left him with limited resources and educational opportunities. He knew that he needed a job and direction after he was released, or the statistics would suggest that he would find himself back in prison. He turned to YouthBuild Lake County, and since graduating from the program, he has earned a construction certificate and, most importantly, has landed a job.

Mr. Speaker, it is this kind of help that we should be encouraging all to begin to promote within our communities. Thousands like Darrell would benefit greatly from criminal justice reform. While I know that this situation cannot simply be fixed in Washington, I certainly hope that we can help. One way in which I am trying to help is by cosponsoring and working for the passage of the Fair Chance Act introduced by my friend from Maryland, Representative ELIJAH CUMMINGS. This legislation would ''ban the box'' for Federal agencies, prohibiting them from asking prospective government employees about their criminal justice histories on job applications.

Potential employees should not use criminal history to screen out applicants before they have a chance to look at their qualifications. This policy would enable almost 20 million people to have a second chance and the opportunity to sell themselves to potential employers and make a positive contribution to our country.

Mr. Speaker, we need to deal with what leads people to end up in prison to begin with. We can do this by implementing positive strategies and innovations such as the use of body cameras for police officers to fight crime and to improve transparency and accountability.

Put simply, we need to end the era of mass incarceration, and this means reforming the mandatory minimum sentencing, among other policies.

Mr. Speaker, I hope that going forward we can work with groups to promote the success stories to help to empower individuals trying to turn their lives around and to work with local communities to reduce the rate of incarceration. Unfortunately, there is still a long way to go until this problem is solved, but I would like to thank organizations like FIST and YouthBuild for the great work that they are doing in Illinois' 10th Congressional District.

RELIGIOUS LIBERTY IN AMERICA

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

Mr. PALAZZO. Mr. Speaker, I rise to express my concern over recent events taking place in my home State and around our Nation that tear at the fabric of our country's First Amendment right to freedom of religion.

Time and again we have seen instances in which an individual's right

to practice his or her faith has been subordinated to the sensibilities of individuals who do not share their faith in God.

In Mississippi, we saw it in August when a high school band from Brandon, Mississippi, was forbidden from playing the hymn ''How Great Thou Art'' at a football game. We saw it in September in Lamar County as a teacher was ridiculed and disciplined for posting a voluntary prayer list in her classroom.

Just last week, I, along with 45 other Members, joined Congressman FORBES and Senator LANKFORD in support of Coach Kennedy of Bremerton High School in Washington State. Coach Kennedy's 8-year tradition of walking to the 50 yard line after the conclusion of football games to say a quiet prayer was banned last month due to the school district's concern that his actions could be construed as an endorsement of religion.

Recently we have even seen a Marine Corps base in Hawaii come under fire for having a road sign read, ''God bless the military, their families, and the citizens who work with them.'' Wow, even our United States Marines are attacked for exercising their faith.

Mr. Speaker, opponents of religious freedom have been energized by recent decisions made by the United States Supreme Court as well as lower courts, both of which have placed the cultural views of a small group ahead of the thoughts, feelings, and rights of the vast majority of Americans.

Judicial activism at all levels of the Federal judiciary has resulted in the systematic rewriting of centuries-old societal norms, and this must end. Time and again our courts have waded into waters which the Constitution specifically vests in the legislative branch. What is at stake here is nothing less than the future of our country's religious liberties, the religious liberties upon which our very Nation was founded.

Those who have would have God completely removed from public discourse—be it marriage, health care, or the right of schoolchildren to pray or play religious music during football game halftimes are pleased with the first part of the amendment: ''Congress shall make no law respecting the establishment of religion.'' However, they conveniently ignore the second part: ''or prohibiting the free exercise thereof.'' This amendment was enacted by our framers to protect religion from government, not the reverse.

Mr. Speaker, families are struggling to keep it together. Single-parent households are at an all-time high. Poverty, incarceration, teenage pregnancy, and drug usage are all around us. When and where prayer is needed the most, it is no longer allowed or is forbidden. How can we try to remove from the public sphere the one thing that holds us together, and that is our religion?

We can no longer simply leave our religion at the church doors. It is our responsibility to live out our values and beliefs in our everyday lives. Edmund Burke said it best: ''The only thing necessary for the triumph of evil is that good men do nothing.''

I support the free expression of religion in all quarters of our society, and I stand with Coach Kennedy, the band from Brandon, the teacher in Lamar County, and every other American who has been stripped of their religious freedoms. I am committed to protecting our right to express our faith without fear of governmental intrusion or retaliation, and I encourage my colleagues to do the same.

With that, Mr. Speaker, God bless America.

KRISTALLNACHT 77TH ANNIVERSARY

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

Ms. ROS-LEHTINEN. Mr. Speaker, Monday, November 9, marks the 77th anniversary of Kristallnacht, the event that would foreshadow the crimes against humanity that the Nazis would commit against 6 million Jews and other religious and ethnic minorities.

Inspired by incitement from the Nazi Minister of Propaganda, Joseph Goebbels, regime members, and party loyalists issued orders to local officials to target and attack the Jewish community. Often disguised in plain clothes to perpetuate the false narrative that these were spontaneous attacks and the expression of the public sentiment toward the Jews, the pogroms of Kristallnacht had an immediate and chilling impact.

Mr. Speaker, mobs roamed the streets freely attacking Jews in their houses, destroying their businesses, and forcing them to perform public acts of humiliation. Nearly 300 synagogues were destroyed while Jewish artifacts and archives were confiscated.

Approximately 7,500 Jewish-owned businesses and shops were vandalized and looted; and to add to the disgrace and punishment of having their livelihoods taken from them and destroyed, the Jews were blamed for the events of Kristallnacht, and they were fined for damages—the then equivalent of $400 million. Over 30,000 Jews were arrested and then transferred to some of the Nazi's most gruesome and notorious concentration camp sites during the events of Kristallnacht.

Nearly 100 Jews were killed on the night of November 9, 1938, and into the morning the next day.

Yet, Mr. Speaker, this was only the beginning. Facing little public backlash, the Nazi regime took the events of Kristallnacht as a signal of support for their cruel treatment of the Jewish community and quickly imposed restrictions against the Jews that would lead up to the Holocaust.

□ 1115

Mr. Speaker, Kristallnacht is a solemn reminder of what can happen when people allow anti-Semitism, incitement, and hatred to carry on unabated. Kristallnacht was the manifestation of fear and scapegoating and was not only allowed to take place, but was the direct result of a people's indifference to the hatred of a religious minority. And indifference is, indeed, all that is needed for evil to take root, for evil to expand.

That is precisely why we must commemorate these tragic events that mar our collective past and that mark one of humanity's darkest periods, and why we must rededicate ourselves to the vow of: ''Never again.''

This is particularly important in today's environment, as Israel finds itself plagued by a new round of terror and violence that has been spurred upon by incitement and anti-Israel indoctrination from the Palestinian authority and its so-called leaders.

In the past month and a half, there have been nearly 60 random knife attacks against Israeli citizens, five shootings, and six car rammings. Yet, where is the condemnation from the international community? Instead of speaking out against these attacks, the United Nations Human Rights Council invited Abu Mazen, and he used his platforms to spew out his harmful and inciting rhetoric. Responsible nations must condemn, not ignore, Abu Mazen's words and his actions.

Last month, Secretary Kerry said that leaders need to lead; and, this week, this body stood up and said enough is enough.

The House passed a resolution I offered, alongside my south Florida colleague, Congressman TED DEUTCH, that condemned the anti-Israel and anti-Semitic attacks from within the Palestinian authority.

The House also passed a resolution that encouraged our government to do more in the fight against anti-Semitism and to work more closely with the governments of Europe to step up their efforts to battle the alarming rise of anti-Semitism across the continent.

And we need to do more at home, especially on our college campuses. Too often, Mr. Speaker, anti-Semitism is being disguised as an anti-Israel political attack, manifested primarily through the Boycott, Divestment and Sanctions movement, the BDS movement.

We have a moral obligation to stand up against these acts.

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 18 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:

God, our Creator, we give You thanks for giving us another day. You brought light from darkness and order from chaos. During ongoing contentious debates, lead our lawmakers, using their daily experiences of joy and sorrow, pleasure and pain, victory and defeat, to strive together for Your glory. May the fruits of their labor redound to the benefit of our Nation.

As a community of colleagues, possessed of multiple layers of friendships unknown to the public eye, this assembly takes special notice today of the passing of Howard Coble, the much-loved and respected Member of 30 years from North Carolina. A gentleman to the core, may we all strive to embody his grace, class, and respect for this institution and for those among whom we engage in the work to be done here. May he rest in peace.

And may everything done this day in the people's House 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. CHU) come forward and lead the House in the Pledge of Allegiance.

Ms. JUDY CHU of California led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

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

MOURNING THE LOSS OF HOWARD COBLE

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

Ms. FOXX. Mr. Speaker, today we mourn the loss of Howard Coble, a dedicated public servant and a champion for his constituents in North Carolina's Sixth District for 30 years. He never backed down from a challenge to do what was right for North Carolina and always pushed Washington to work better for those he represented.

Howard was the essence of what it means to be a Southern gentleman, someone who simply exuded kindness, charm, and compassion. He was a man of integrity and principle, a Representative who stood for what is right and who fought on behalf of what makes America great.

He will be missed, but his legacy of service and devotion to North Carolina will continue to be the standard that current and future leaders follow.

Howard, we miss you.

INTRODUCTION OF THE POWER ACT

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

Ms. JUDY CHU of California. Mr. Speaker, we depend on immigrant workers to take some of the toughest jobs. They pick our food, clean our houses, and wash our cars. As U.S. workers, they deserve to freely exercise their labor rights; yet when immigrants want to organize for fair pay or decent working conditions, they are often silenced by unscrupulous employers who retaliate through harassment, abuse, and threats of immigration enforcement.

This is unacceptable. When I hear about it, I think of Asuncion Valdivia, who died after 10 hours of grape picking in 105 degree heat. Asuncion did not have the opportunity to report a violation. We cannot allow any voice to be stifled, especially when that voice is speaking out against dangerous or unfair practices.

That is why I am introducing the POWER Act this week. This bill expands U visa eligibility for victims of retaliation, strengthens labor agencies' investigative powers, and allows a stay of removal for workers who filed a workplace claim.

We must protect our workers, no matter who they are.

CONGRATULATIONS TO MARIAN HIGH SCHOOL'S BOYS' SOCCER TEAM

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

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate the Marian High School boys' soccer team. For the first time in the school's 51-year history, the Knights won a State title. Last weekend, the Knights claimed the Class 1A State boys' soccer championship with a 3–0 victory.

The win also earned Head Coach Ben Householter his first State championship in 18 years as head coach. He was also named the Northern Indiana Conference Coach of the Year. All season long, Marian competed against the best of the best, finishing with 20 wins and only 2 losses.

Mr. Speaker, I stand before you today a very proud Hoosier. Marian High School is a great school, and the team, the coach, the teachers, and the entire student body should be proud today. I want to recognize the parents, who sacrifice so much for their kids to play in sports programs.

The achievement that this is today is something these students will have for a lifetime. On behalf of the people of the Second Congressional District of the State of Indiana, I applaud Coach Householter and the entire team for their determination and hard work. I congratulate them all on an amazing season.

NEW STARTS AND SMALL STARTS PROGRAM

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

Ms. KUSTER. Mr. Speaker, today I rise in support of the Federal Transit Administration's New Starts and Small Starts program, which provides critical grant funding for the creation or extension of existing fixed guideway transit systems.

Funding for these projects has facilitated the creation of dozens of new or extended public transportation systems in rural, suburban, and urban communities all across this country.

By creating good-paying construction jobs and connecting job-seeking commuters with employers, New Starts offers significant benefits to communities that are in need of rail expansion.

In New Hampshire and across New England, we have been working collaboratively with our neighboring States to create a unified vision for our region's rail networks.

I was pleased to host a rail summit just a few weeks ago that brought together regional stakeholders and officials from the Federal Railroad Administration, the FTA, and New England States.

As we continue to work on the highway bill this week, I urge my colleagues to support Congressmen LIPINSKI, NADLER, and DOLD's amendment, which will restore much-needed local flexibility for New Start projects.

NORTH CAROLINA HAS LOST A FAVORITE SON

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

Mr. WALKER. Mr. Speaker, last night on election day in North Carolina, we lost one of our favorite sons, Howard Coble, a man who served in these Halls for three full decades, yet his heart always belonged to the constituents of The Old North State. I am honored to stand with my colleagues today and others in acknowledging our Congressman.

Howard demonstrated humility and grace, and it was evident that he genuinely loved the people he represented. Howard taught us many things, but most of all, he demonstrated why statesmanship still matters. In a rhetoric-driven political arena, Howard understood why tone and approach continue to make a difference.

He is often remembered by his attire, specifically the madras jacket. No, it didn't match many times, but he was confident enough in who he was, and evidently the ladies seemed to have no problem with it.

Howard did more than just simply make noise in this place; he made a difference. It is an honor to follow him. May our Lord comfort his brother Ray and the entire Coble family.

RECOGNIZING DENNIS HORRIGAN

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

Mr. HIGGINS. Mr. Speaker, Catholic Medical Partners is one of western New York's largest physician networks. In recent years, it has evolved from a negotiating entity to a national model for clinical integration.

In the first year of the Shared Savings Program, Catholic was one of the best performing accountable care organizations in the country, saving Medicare more than $27 million, while delivering quality care.

At the helm has been president and CEO, Dennis Horrigan. In a career spanning four decades as a mental health professional, a physician network executive, and a managed care administrator, Dennis has been focused on improving patient experience and outcomes.

It is my honor to recognize Dennis Horrigan for his commitment to using information technology, evidence-based medicine, and physician coordination to improve quality care in western New York and throughout the Nation.

NATIONAL APPRENTICESHIP WEEK

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

Mr. WILSON of South Carolina. Mr. Speaker, our Nation is recognizing National Apprenticeship Week, which is dedicated to highlighting the critical role of employers in training and educating workers for fulfilling jobs.

At their plant in Graniteville, South Carolina, MTU America, led by Director of Operations Jens Baumeister, has built a world-class apprenticeship program, recognized by the Department of Labor, by hiring and training high school students to work at MTU or share their skills with any similar manufacturing company.

The Savannah River Site has a dynamic apprenticeship program, led by Carol Johnson, president of Savannah River Nuclear Solutions, and Stuart MacVean, president of Savannah River Remediation, training students at Aiken Technical College, with President Susan Winsor, for the radiation protection technology program.

I am grateful for Apprenticeship Carolina, led by Director Brad Neese, a program that pairs students in our technical college systems with employers to train the students for well-paying jobs.

In conclusion, God bless our troops, and the President by his actions must never forget September the 11th in the global war on terrorism.

South Carolina extends its sympathy to the family and many friends of our beloved former colleague and neighbor, Howard Coble, who passed away last night. We appreciate Uncle Howard.

THE HOUSE NEEDS LESS PARTISANSHIP AND MORE SOLUTIONS

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

Mr. KILDEE. Mr. Speaker, during his first speech, our new Speaker made a commitment to return the U.S. House of Representatives to regular order. What does that mean? Think ''Schoolhouse Rock,'' an orderly process where bills are introduced, debated in a bipartisan committee process, amendments are allowed, and legislation is actually brought up for a vote.

I could not agree with the Speaker more. This Congress, this country would benefit from a more open debate, where voices from both parties are heard, where every Member is empowered to fully be a part of the legislative process, to do the work that they were sent here to do on behalf of the people they work for.

I know I have introduced many bills that have not been brought up in committee, have never seen the light of day on the floor, and I know other Members share that frustration. That needs to end. We need to have a more open process.

Just last week, 313 Members of this body voted to reauthorize the Export-Import Bank. Almost every Democrat and a majority of Republicans came together, and the legislative process worked.

Mr. Speaker, I do call on you to continue to keep that promise. Keep this an open process. This is what the Framers imagined, and it is what the American people expect.

HONORING GARETT LONG AND JESSICA CHIARTAS

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

Mr. LAMALFA. Mr. Speaker, last week I had the honor of meeting with Garett Long and Jessica Chiartas, two very bright graduate students from UC Davis in northern California who were invited to D.C. to present their work on soil science.

Their research in the area of soils and biogeochemistry focuses on understanding the physical, chemical, and biological aspects of our soils, as well as the processes of mass and energy flows that control our agricultural and natural ecosystem functions.

Now, the average layman might not find that too exciting, but it is exciting for agriculture to advance these technologies and get more and better production and quality of crops out of our lands.

In particular, one area of research highlighted was their work in the wine growing region and the data and research collected on how soil impacts our vineyards and the wine that is enjoyed by people all across the world. That is something people can relate to with California wine.

I have no doubt that their work will improve our agricultural industry for the better. I thank them for stopping by and sharing more about the work they are doing as well as their colleagues at UC Davis, and also congratulate the pair on their recent recognition.

□ 1215

VETERAN PAYDAY PREDATORY LOANS IN TEXAS

(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, as we prepare to honor the service of our men and women in uniform this Veterans Day, we must come together to stop one of the most egregious practices that is preying upon them: predator payday loan companies are targeting our veterans at an alarming rate.

In North Texas alone, a fast cash payday advance of $500 that is rolled over five or more times could wind up costing $1,200 or more. As a result, many borrowers are trapped in a cycle of debt when these short-term loans are not repaid on time, usually within a required 2 to 4 weeks.

Mr. Speaker, these companies have targeted our vulnerable veterans with limited financial options, digging them deeper and deeper into debt. We in Congress must work to cap these interest rates and require all lenders to follow the same standards as our local banks, mortgage companies, and other for-profit lenders.

As a Nation, we have a long way to go to make sure that those who have protected and defended our homeland are, themselves, protected and defended when they return home to rebuild their lives.

RECOGNIZING MRS. NELL MAHONEY

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

Mr. FLEISCHMANN. Mr. Speaker, I rise today to thank Mrs. Nell Mahoney for her years of columns in the Chattanooga Times Free Press, my hometown paper.

Nell has written for the paper for 38 years. Her column has covered a wide array of topics but was largely focused on faith and spirituality. Her words touched many in the community, including my wife, Brenda, who eagerly awaited her column every Sunday.

Nell moved to Chattanooga with her late husband, Reverend Ralph Mahoney, in 1965 and immediately ingrained herself not only in First Centenary United Methodist Church, but the entire town.

While her column may be finished, her community involvement is certainly not. Mrs. Mahoney plans to continue teaching at the church, speaking around the community, and is considering writing a book. She has already written and published 13.

Nell, thank you for giving so much of your time and for touching so many people throughout our community.

I will close with a line from her favorite song, a classic from ''The Sound of Music'': So long, farewell.

And thank you, Nell.

AREAWIDE INTEGRATED PEST MANAGEMENT ACT OF 2015

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

Ms. GABBARD. Mr. Speaker, in my home State of Hawaii, invasive species like the coffee berry borer, fruit flies, macadamia nut felted coccid, and others, have cost our local farmers and agriculture industry millions in lost revenue. Across the country, these pests, along with other invasive insects, diseases, and weeds, cause serious and harmful damage to our farmlands, agriculture production, food supply, environment, and public health.

I have introduced the Areawide Integrated Pest Management Act of 2015 to continue supporting long-term and sustainable solutions to fighting these noxious and invasive species.

In Hawaii, AIPMs have helped increase the number of commercial farms and have helped local farmers increase their crop diversity, decrease the use of harmful pesticides, and manage the pests in a sustainable and cost-effective way.

This legislation will help farmers, ranchers, and land managers all across the country reduce the impact of these harmful invasive species.

STANDING WITH COACH JOE KENNEDY

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

Mr. WALBERG. Mr. Speaker, I rise today in solidarity with Washington State High School football coach Joe Kennedy.

For 7 years, Coach Kennedy has prayed midfield at the conclusion of his team's games. He didn't require anybody else to be there or listen. He simply knelt and quietly prayed to thank God for the safety of the kids on his team.

Last month, the school district ordered him to stop. When he didn't, Coach Kennedy was placed on administrative leave. Can you believe the school district is trying to argue that you can pray, just as long as nobody sees it? But that is not what the Constitution says. It protects the free exercise of religion. It doesn't say the public square should be a faith-free zone.

Faith must impact life. Mr. Speaker, I hope people of every faith background and no faith at all will stand together in defense of every American's constitutional right to religious freedom.

We stand with you, Coach Kennedy.

INFRASTRUCTURE

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

Mrs. LAWRENCE. Mr. Speaker, for the sake of my constituents and the many communities with crumbling roads and bridges around this Nation, I am happy that we finally have a bipartisan transportation bill to work with.

For the record, I still believe that we need a full, 6-year plan.

Today, I have an amendment that will modify section 3021 of the Surface Transportation Reauthorization and Reform Act. My amendment will examine the ability of seniors and people with disabilities to access public transportation and require the council to report to Congress on their findings with recommendations.

One-half of Americans 65 and older do not have access to public transportation. Those in rural areas and small towns are particularly affected because transportation options are limited. Seniors continue to drive as long as possible because they are unaware or do not believe they have alternative means of transportation. Seniors limit their driving or stop driving altogether because of functional disabilities.

I urge my colleagues to support the Lawrence amendment when it comes to the floor. Seniors and people with disabilities need to maintain their independence.

NATIONAL ADOPTION AWARENESS MONTH

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

Mr. MULLIN. Mr. Speaker, November is a special time to remember that love makes a family.

During National Adoption Awareness Month, people and organizations from across the Nation come together to bring awareness to a cause that has become very important to my family.

Two years ago, our family grew from five to seven when we adopted our twin girls, Ivy and Lynette. These girls have been such a blessing to our family and have inspired my wife, Christie, and me to get involved with organizations that spread awareness about the importance of adoption. There are no unwanted kids, just unfound families.

Although this month is dedicated to adoption awareness, we need to talk every day about the kids of all ages who need a permanent, loving home. Let's commit to creating a brighter future for our Nation by ensuring every child has a safe home and a loving family. I believe this is an effort we can all support.

PROTECTING VETERANS AND SERVICEMEMBERS

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

Mr. TAKANO. Mr. Speaker, with Veterans Day 1 week from today, I rise to call attention to an issue affecting military families across the country.

In 2006, Congress enacted the Military Lending Act to protect servicemembers from predatory lenders, but those same protections are not in place for veterans and their families. As a result, veterans often fall victim to payday lenders who offer unaffordable loans, forcing them even deeper into debt.

In 2013, California payday lenders generated three-quarters of their revenue from borrowers who took out seven or more loans. The Consumer Financial Protection Bureau should use its authority to crack down on the worst abuses in the payday loan market.

Veterans and their families have made tremendous sacrifices to keep us safe. The least we can do is protect them from unethical lenders who deliberately trap them in a cycle of debt.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION REAUTHORIZATION ACT

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

Mr. DONOVAN. Mr. Speaker, I rise today in support of the James Zadroga 9/11 Health and Compensation Reauthorization Act, which permanently reauthorizes the World Trade Center Health Program and the Victim Compensation Fund.

After the attacks against America on September 11, 2001, selfless heroes rushed toward the death and destruction. Many will pay for their heroism for the rest of their lives. Many have already paid with their lives. More than 33,000 Americans have documented illnesses directly related to their work at Ground Zero.

Since 9/11, more than 200 firefighters and police officers have already passed

away. In my district, more than 6,700 heroes will rely on the Zadroga Act for medical care not for the next 5 years, as is being proposed, but for the rest of their lives.

Time doesn't erase our moral imperative to cover their medical expenses. It is an extension of the costs of the attack. America's heroes deserve a permanent reauthorization of the Zadroga Act, and nothing less.

Mr. Speaker, I ask that this House permanently reauthorize this program, which is essential to our deserving heroes.

GUN VIOLENCE

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

Mr. CICILLINE. Mr. Speaker, it has been 34 days since the murder of nine men and women at Umpqua Community College in Oregon. It has been 140 days since the murder of nine parishioners at Mother Emanuel Church in Charleston, South Carolina. It has been 1,055 days since the murder of 20 children and 6 adults at Sandy Hook Elementary School in Newtown, Connecticut.

In the time since then, Congress has done nothing to close loopholes in our background check system and make it easier to identify a dangerous individual before they are able to buy a gun.

There are more mass shootings in the United States each year than in any other country, and six of the deadliest shootings in American history have taken place in just the past 8 years.

It shouldn't be this way. It doesn't have to be this way. Congress has the responsibility to stand up to the powerful special interests and say, ''No more.'' There is no reason lawmakers in this body should continue to cower before the National Rifle Association. We are the people's Representatives, and it is time to get to work on commonsense reforms that will save the lives of thousands of Americans and put an end to the epidemic of gun violence in our country.

HONORING SENATOR FRED THOMPSON

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

Mrs. BLACK. Mr. Speaker, I rise today to honor the life of a Tennessee giant: Senator Fred Thompson.

Whether Fred Thompson was speaking on the Senate floor, canvassing the State in his red pickup truck, or entertaining us on the big screen, he always did the Volunteer State proud.

In his lifetime, Fred saw many accomplishments, but he remained the same: a proud product of Lawrenceburg, Tennessee, the son of a car salesman, and the first person in his family to earn a college degree.

Fred was a statesman who led with conviction. He was a visionary who helped bring Tennessee from a Democratic stronghold to the conservative success story that it is today. He was a loving husband and father. He was a man of faith, who I know has found ultimate healing today from the cancer that gripped his earthly body.

Tennessee shines brighter because of Fred Thompson's service. We will miss him deeply, but we know that his legacy lives on.

MANATEE AWARENESS MONTH

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

Ms. GRAHAM. Mr. Speaker, did you know it is Manatee Awareness Month?

Every November, we celebrate these beautiful, gentle creatures. How lucky we are that Florida is one of the few places in the world where you can see them.

To raise awareness, I would like to recognize the Save the Manatee Club, an international nonprofit which has been working to save endangered manatees since 1981, when it was cosponsored by Jimmy Buffett and my father, Governor Bob Graham. Their commitment to these unique animals has made great strides in protecting them around the world.

Human activity presents the greatest threat to manatees, but we are also their greatest hope. Only our compassion and action can protect them.

FAR-REACHING ENVIRONMENTAL REGULATORY MANDATE

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

Mr. STEWART. Mr. Speaker, yesterday, President Obama issued an executive memorandum that could turn into one of the most far-reaching and devastating environmental regulations in history. This document, which holds the same weight as an executive order, aims to expand a 26-year-old policy that requires agencies to set a no net loss of wetlands to all natural resources. The economic impact of this regulation would be devastating to the West.

Why do I live in Utah? I live there because I love it. I love to rock climb. I love to ski. I love the beauty of the place I live.

All of us want to protect our natural resources, but we can't put human interests at the bottom of the priority pile. This is more than a huge power grab. It is going to devastate the trust that is essential between the President and the American people.

If the President wants more regulations and further protections on natural resources, such a thing must be done in the people's Congress by those who are closest to the people. For that reason, I will use every tool at my disposal in order to ensure that this outrageous Presidential decree is not implemented.

□ 1230

HONORING THE LIFE AND SERVICE OF FORMER CONGRESSMAN HOWARD COBLE

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

Ms. ADAMS. Mr. Speaker, I rise today to honor former Congressman Howard Coble, who passed away last night.

Howard Coble was the epitome of a public servant. He served in the U.S. Coast Guard, the North Carolina State House, and as the Congressman for North Carolina's Sixth Congressional District for more than 30 years.

Howard Coble dedicated his life to serving, and it was exemplified in the way he ran his office. As a freshman Member of Congress, I looked to him in serving my constituents. He was steadfast, attentive, and always put his constituents first. Some say he offered the best constituent services of any Member.

I will never forget the night Howard Coble welcomed me to Congress the day I was sworn in. He later wished me well on my new journey as a Member.

My thoughts and prayers are with his family, his friends, and his former colleagues during this difficult time.

He will be missed but never forgotten. Howard Coble's legacy will remain in the Greensboro community and throughout North Carolina as a man who served selflessly.

HAPPY BIRTHDAY AND SEMPER FI

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

Mr. PALAZZO. Mr. Speaker, today, in honor of the 240th birthday of the United States Marine Corps, I would like to offer the official Marine Corps Hymn in tribute to the brave men and women who serve as Marines at home and abroad.

''From the halls of Montezuma
To the Shores of Tripoli;
We fight our country's battles
In the air, on land and sea;
First to fight for right and freedom
And to keep our honor clean;
We are proud to claim the title
Of United States Marine.

''Our flag's unfurled to every breeze
From dawn to setting sun;
We have fought in ev'ry clime and place
Where we could take a gun;
In the snow of far-off Northern lands
And in sunny tropic scenes;
You will find us always on the job—
The United States Marines.

''Here's health to you and to our Corps
Which we are proud to serve;
In many a strife we've fought for life
And never lost our nerve;

If the Army and the Navy
Ever look on Heaven's scenes;
They will find the streets are guarded
By United States Marines.''

From one Marine to another, happy birthday and Semper Fi.

HONORING THE LIFE AND SERVICE OF FORMER CONGRESSMAN HOWARD COBLE

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. PRICE of North Carolina. Mr. Speaker, it was a little less than a year ago that a number of us gathered on the House floor to bid farewell to our colleague, Howard Coble, as he retired from 3 decades of service to the people of North Carolina.

The series of heartfelt tributes that day, from Members on both sides of the aisle, were a striking reflection of the respect and admiration that so many of us felt for Howard. And he returned that affection. He always made the extra effort to get to know those with whom he worked, regardless of their stature or their party affiliation.

Howard was also an effective legislator, a tireless advocate for the Sixth District. He took on complicated and difficult issues in his leadership roles on the Judiciary and Transportation Committees.

I was fortunate to partner with him on a number of bipartisan initiatives, from textile research, to disaster relief, to funding for his beloved Coast Guard.

In an era where our politics are too often fractious and divisive, Howard's camaraderie, good humor, and generosity of spirit reflected the best of what this institution can be.

Lisa and I are saddened by his passing. We join his many friends and former colleagues in extending condolences to his family and expressing gratitude for his life.

VETERANS HEALTH AND ACCOUNTABILITY ACT

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

Mr. GUINTA. Mr. Speaker, I rise today to announce the introduction of the Veterans Health and Accountability Act. Yesterday's Veterans Affairs Committee hearing showed why this bill is so critical.

An investigation revealed that Veterans Affairs administrators likely gamed the system to enrich themselves at taxpayer expense, creating high-paying vacancies at desirable locations, where they would have less responsibility.

At the hearing, they pled the Fifth to avoid the truth, and they remain on the job. Meanwhile, Granite State vets are waiting for care.

My Veterans Health and Accountability Act strengthens the Veterans Choice program, allowing veterans to seek private care due to inadequate VA facilities. My home State of New Hampshire does not even have a full-service VA.

The act also protects whistleblowers who expose negligence and mismanagement. If it were not because of these individuals, we may never have discovered secret waiting lists where thousands of vets probably died waiting for care.

The bill I introduced clarifies hiring and firing rules, so bad actors who abuse their positions can be exited promptly.

We must enforce and expand VA reforms to ensure our military vets receive the care we promised them. We must restore Americans' trust in government.

DISAPPROVAL OF THE RADEWAGEN AMENDMENT TO THE SURFACE TRANSPORTATION BILL

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

Ms. PLASKETT. Mr. Speaker, I rise to express my disapproval to the Radewagen amendment to the surface transportation bill, which was ultimately defeated last night, 113–310.

This amendment would have required the Secretary to change the allocation program funds made available to the territories. This amendment would have potentially harmed my district, the U.S. Virgin Islands, and Guam, by possibly taking already minimal funds away from these two territories.

The funding provided in the transportation bill is yet another example of this Congress' inability to address the real needs of the U.S. territories, whose economies have not recovered and require additional support.

And, while I certainly recognize and empathize with the frustrations of some of my colleagues from the territories, it is the limited funding within this bill which has created an environment where we are literally fighting over scraps.

The proposed funding in the bill barely provides any increase of the historically low allocation for the territorial highway program.

I would like to thank both the chair and ranking member of the Transportation and Infrastructure Committee, Mr. SHUSTER and Mr. DEFAZIO, for not supporting the amendment and for recognizing that this is not an amendment that enjoyed the full support of all the four smaller territories.

I would also like to thank the dean, Congresswoman BORDALLO, of the territory of Guam, for her efforts and engagement on this very important issue.

I look forward to working with Transportation and Infrastructure leadership and staff and my fellow Delegates from the insular areas and working together on resolving our problems.

HONORING THE SERVICE OF DANIEL STANDAGE

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

Ms. MCSALLY. Mr. Speaker, next week we celebrate Veterans Day, a time to honor the men and women who served our country in the military.

Today, I want to recognize a standout veteran from my district, Daniel Standage.

Daniel served 10 years in the U.S. Marine Corps, until a neurological condition he suffered from eventually rendered him completely blind. He received a 100 percent service-connected disability, but that hasn't held him back.

Daniel completed a blind rehabilitation program at the Southern Arizona VA. He enrolled at the University of Arizona and was instrumental in establishing its student veterans center, a place that offers assistance to transitioning student veterans. The center now is a national model for Student Veterans of America.

Today, Daniel is a staunch advocate for veterans across the country. He credits his education as being the most important factor in helping him overcome his disability, and he now helps countless other veterans earn their degrees.

In advance of Veterans Day, I thank all the men and women like Daniel who serve and served our Nation and continue to make a difference today.

HONORING THE LIFE AND LEGACY OF STEPHEN TALLEY

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

Mr. RUIZ. Mr. Speaker, I rise today to honor the life and great legacy of San Jacinto Valley's artist, Stephen Talley, known as Steve, who passed away last week after his battle with cancer at the age of 62.

Steve was 11 years old when he began his career, creating and selling his artwork. That passion is what led him to pursue and share his artistic vision with the community and the world.

For more than 30 years, Steve taught art at San Jacinto High School, touching the life of every student who sat in his class. He was known internationally for his work, winning more than 100 awards in numerous competitions, many of them in first place.

He never let his success get in the way of his commitment to his students and, as a result, he has inspired a new generation of artists to never give up on their dreams.

Steve was a mentor, a teacher, a friend, and, above all, he was a great man. His memory will never be forgotten.

As we mourn the passing of Stephen Talley and celebrate his life, my

thoughts and prayers are with his family, friends, students, and the San Jacinto Valley community.

SUPPORTING THE 2015 SUPER HERO STEP FORWARD TO CURE TSC 5K WALK

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

Ms. ROS-LEHTINEN. Mr. Speaker, today I rise to support the Step Forward to Cure TSC 5K Walk taking place at Florida International University's main campus, my alma mater, on Saturday, November 14.

Tuberous sclerosis complex, or TSC, is a rare genetic disease with no known cure that causes uncontrolled tumor growth.

I know of one young man from our community, Max Lucca, who was diagnosed with TSC when he was only 2 weeks old. Because of the love and care provided by his parents, doctors, and nurses, he has thrived, in spite of constant health challenges.

The walk's theme this year is ''Super Heroes,'' and Max Lucca is, indeed, a super hero.

I encourage all south Floridians to walk to help find a care for TSC, to benefit young super heroes across the country just like Max Lucca.

TRIBUTE TO DR. DAN ARVIZU

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

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Dr. Dan Arvizu for his exceptional work as director of the National Renewable Energy Laboratory in Golden, Colorado.

Dr. Arvizu is retiring this year, but his legacy of leadership and innovation will endure for many, many years to come. I want to take this moment to say thank you for outstanding stewardship of our Nation's premier energy efficiency and renewable energy laboratory.

In addition to his role at NREL, Dr. Arvizu is chairman of the National Science Board, which is the governing board of the National Science Foundation. He will continue his role as chairman of the National Science Board, and he will also become a visiting professor at Stanford University.

On behalf of everyone at NREL, the people of the State of Colorado and the United States of America, let me say thank you for a job well done. We wish you all the best on the next steps of your journey.

PROVIDING FOR FURTHER CONSIDERATION OF SENATE AMENDMENTS TO H.R. 22, HIRE MORE HEROES ACT OF 2015

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 512 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 512

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 further consideration of the Senate amendment to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

SEC. 2. (a) No further amendment to the amendment referred to in section 2(a) of House Resolution 507 shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in subsection (c).

(b) Each further amendment printed in part A of the report of the Committee on Rules shall be considered 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, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

(c) It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of the report of the Committee on Rules not earlier disposed of. Amendments en bloc offered pursuant to this subsection shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

(d) All points of order against the further amendments printed in part A of the report of the Committee on Rules or amendments en bloc described in subsection (c) are waived.

SEC. 3. No further amendment to the Senate amendment, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such further amendment shall be considered 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, may be withdrawn by the proponent at any time before action thereon, 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 further amendments are waived.

SEC. 4. (a) At the conclusion of consideration of the Senate amendment for amendment the Committee of the Whole shall rise and report the Senate amendment, as amended, to the House with such further amendments as may have been adopted.

(b) If the Committee reports the Senate amendment, as amended, back to the House with a further amendment or amendments, the previous question shall be considered as ordered on the question of adoption of such further amendment or amendments without intervening motion. In the case of sundry further amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question.

(c) If the Committee reports the Senate amendment, as amended, back to the House without further amendment or the question of adoption referred to in subsection (b) fails, no further consideration of the Senate amendments shall be in order except pursuant to a subsequent order of the House.

SEC. 5. The Chair may postpone further consideration of the Senate amendments in the House to such time as may be designated by the Speaker.

SEC. 6. Upon adoption of the further amendment or amendments in the House pursuant to section 4(b) of this resolution —

(a) a motion that the House concur in the Senate amendment to the text, as amended, with such further amendment or amendments shall be considered as adopted;

(b) the Clerk shall engross the action of the House under subsection (a) as a single amendment in the nature of a substitute;

(c) a motion that the House concur in the Senate amendment to the title shall be considered as adopted; and

(d) it shall be in order for the chair of the Committee on Transportation and Infrastructure or his designee to move that the House insist on its amendment to the Senate amendment to H.R. 22 and request a conference with the Senate thereon.

SEC. 7. The chair of the Committee on Armed Services may insert in the Congressional Record not later than November 16, 2015, such material as he may deem explanatory of defense authorization measures for the fiscal year 2016.

□ 1245

The SPEAKER pro tempore (Mr. POE of Texas). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend 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. WOODALL. 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 Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, I find myself with a big smile on my face. I usually do when the Reading Clerk sits down. Even if I could dispense with the reading of the rule, I wouldn't do it. I wouldn't do it. Even if there were some days where I would be tempted to do it, Mr. Speaker, this wouldn't be that day because we are down here with rule number two on the transportation bill.

You will remember we came down here yesterday—it was my friend from Massachusetts and I at that time—to bring a rule to consider the first 6-year transportation bill this country has had in over a decade. It is a bill that the Transportation and Infrastructure

Committee has worked on for not days, not weeks, not months, but years to get it ready. It is a bill that was not pushed by Republicans or pushed by Democrats. It is a bill that was pushed by all of us together to do those kinds of important things that are necessary for infrastructure planning for each and every one of our constituents back home.

It is a bill that has been moving in the Senate, which is a rarity in and of itself. It is a bill that we are moving here in the House. It is a bill that can go to the President's desk for his signature and make a difference for Americans, make a difference in our economy, and make a difference for our families.

Now, I sit on the Transportation and Infrastructure Committee, Mr. Speaker, and you would think that my pride of authorship and all the good work we did on that committee would have said: Do you know what? We got it right the first time. Let's just bring that bill to the floor, and let's get it done because it is important to America. Let's finish it today.

I see some of my colleagues from the Transportation and Infrastructure Committee sitting down here. There might be a little temptation to take our work product and rush it straight to the desk because we did do a pretty good job together. But in their wisdom, Mr. Speaker, the chairman of the Transportation and Infrastructure Committee, the ranking member of the Transportation and Infrastructure Committee, the chairman of the Rules Committee, the ranking member of the Rules Committee, and our leadership team here in the House said: Do you know what? There are a lot of Members who don't sit on the Transportation and Infrastructure Committee. There are a lot of Members who represent some really smart and really talented folks back home in America, but their Representative doesn't sit on the Transportation and Infrastructure Committee. We need their ideas in this debate, too.

So we came to the floor yesterday, Mr. Speaker, and we brought a rule that made more than 20 amendments in order. We were debating that rule for an hour. We hadn't even finished debating the rule when we brought back more amendments and made another 16 in order, Mr. Speaker. We are back here today because that more than 40 was not enough. We want to make another 81 amendments in order. Mr. Speaker, this is a festival of democracy that is happening in this House today. Everyone's voice is included.

Now, I want to be clear. We had over 300 amendments submitted to the Rules Committee. Here on this floor, sometimes we have a very open process with appropriations bills, Mr. Speaker, where absolutely everyone can offer absolutely any idea at absolutely any time they want to. This process is a little more structured, and I want to stipulate that that is true. We had a lot of duplicative amendments offered, Mr. Speaker. This is important work. We didn't want to waste the body's time. We culled those duplicative amendments.

We had a couple amendments offered, Mr. Speaker, that were not minor changes to the underlying legislation. They were major revisions to public policy that had not had committee hearings and that had not had any public discussions. We culled those as well.

But over 120 amendments, Mr. Speaker, will now be made in order on a bill, again, that was not the product of days of effort, not a product of weeks of effort, not months, but years of effort of our House Transportation and Infrastructure Committee to bring together a product that this body can be proud of—a product, I might add, that Republicans in the past and Democrats in the past have failed to come together and succeed on.

This is a day of celebration, Mr. Speaker, as we offer this rule to consider even more of our colleagues' ideas. I hope that we will get unanimous support for this rule, Mr. Speaker. With the passage of this rule, we can get into debate, and we can move this bill one step closer to the President's desk, and we can move one step closer to making a difference for those families back home.

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

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

Mr. Speaker, we will get to what is in the bill in a minute. With regards to process, as an example of a Member of this body, I had a number of issues in the transportation area I wanted to address in my district. Most notably, I wanted to address the sound levels of train horns in our busy downtown areas, like Fort Collins and Longmont. It is one of the biggest issues I hear about from our local downtown businesses; and, of course, to anybody who, including myself, has been downtown with the train blaring by in close proximity, it really is a major detriment to the quality of life, and there is no significant evidence that I have seen or that has been presented to me that this in any way improves safety. So I did offer an amendment that would have changed that. Unfortunately, it was blocked in Rules Committee.

Now, on that particular issue, we had a discussion with the chair and the ranking member of the Transportation and Infrastructure Committee. I hope to work with him in other ways. But to say that somehow this is an open process, that I can bring forth and other Members can bring forth amendments to improve the bill—of course, there were a few allowed. Out of 302, there were 126 allowed. That means there are more disappointed Members that had ideas than there are satisfied Members that are at least going to have the opportunity to bring their idea forward.

Again, it is 126. It is better than 50, and it is better than 30, there is no question. But it also means there are an awful lot of Republicans and Democrats, including my colleague from Wisconsin (Mr. DUFFY) with whom I sponsored—he as the Republican; I as the lead Democrat—a bipartisan amendment that would have dealt with train stoppages. We are dealing with this also in Fort Collins, where we have trains that do switching and delay traffic sometimes for 15, 30, and 45 minutes. We are simply saying that you can't do that in an urban zone; that delays traffic. It can impede ambulances and fire engines from reaching their destinations. It is dangerous. We simply proposed an amendment to impose a civil penalty of $10,000 around that to deter that kind of action. Unfortunately, Mr. Speaker, that amendment was blocked under this very rule that we are talking about here.

I have, for instance, an amendment that is very important in my district for highway 70 designation that is allowed under this rule, and I am happy that it is. Keep in mind, in perspective, there are many more ideas—good, bad, and other—that Republicans and Democrats had on both sides of the aisle that they weren't even allowed to talk about and aren't even allowed to talk about under this rule, this restrictive rule, that we have before us today.

Mr. Speaker, I wish that I could do something and that the Rules Committee allowed me to do something about excess train noise in our downtown areas. I wish that the Rules Committee had allowed Mr. DUFFY, me, and the many others that this affects to do something about train stoppages closing traffic and endangering the public in our downtown areas. But it was not allowed under this rule, not allowed at all.

Mr. Speaker, calling this bill a 6-year reauthorization is also a bit of a misnomer. The bill only makes funding available for 2 to 3 years. So this is not, in fact, a 6-year bill. It is a 2- to 3-year bill. It is being touted for something that it doesn't have the power to do. Simply calling it a 6-year bill when you are only funding it for 2 to 3 years doesn't make it so.

Mr. Speaker, our economy is still fragile. Americans are concerned about maintaining and growing their quality of life. Affordable housing, quality education, and retirement are sometimes out of the grasp of too many Americans. Critical infrastructure on public roads and bridges is absolutely important for driving our economy forward.

My colleagues and I are charged with recognizing and offering innovative solutions to these problems. We are each selected by constituencies that have particular items that impact them. I was sent here to work on train noise, as an example, and train stoppages that delay traffic, the designation of highway 70, which we hope to be able to include in the final bill, and many other transportation issues, some of which are reflected in the bill.

I certainly commend my colleagues on the House Transportation and Infrastructure Committee for working diligently in trying to bring up a long-term, robustly funded, and thoughtful bill.

This bill, unfortunately, is another exclusionary bill. Again, you can certainly say there could be improvement to have more amendments than prior bills have allowed, but there are many more good ideas that Republicans and Democrats have offered that are not allowed to be debated under this rule.

I commend the process and its inclusion of critical provisions regarding the Export-Import Bank. This is important to many companies in my district to ensure that U.S. businesses are competing on a level playing field. As an example, Fiberlok, located in my district in Fort Collins, is a specialty printing company. It provides heat transfer graphics. It is family owned, and about 40 percent of its business is export business.

I also visited Boulder-based Droplet Measurement Technologies, which was named Export-Import Bank's Small Business Exporter of the Year for its work in cloud and aerosol measurements.

We simply want a level playing field for American businesses.

Of course, this package has some commendable transportation-related provisions. For instance, it provides $325 billion in Federal contract authority and allows for the direct deposit of any additional revenues Congress is able to come up with. It invests in all modes of surface transportation, highway, transit, and maintaining funding for alternatives like biking and walking that should be commended. It creates a $4.5-billion competitive grant program allowing States to compete for geographically expansive projects that impact and can now be financed by multiple States and regions.

Unfortunately, however, this is not a 6-year authorization. From the Infrastructure 2.0 Act I recently introduced, along with my colleague Mr. DELANEY, to the President's GROW AMERICA Act, to Mr. DEFAZIO's and Representative BLUMENAUER's initiatives to reindex the gas tax, many of us have been in the forefront of offering avenues for full funding of this bill. Yet, unfortunately, time and time again, whether it is the repatriation concept or whether it is a re-indexation of the gas tax concept, all of the very reasonable offers and ideas that we have put forward have been repeatedly and inexplicably rejected, and we have seen a failure from our colleagues on the other side of the aisle to bring forward ways to actually pay for what they claim is a 6-year bill.

Look, a long-term, sustainable, funded bill is what we want. If that is the bill we get, Mr. Speaker, I will personally whip that bill. But this is not that bill. This bill fails to make the commitment needed to our Nation's crumbling transportation and infrastructure, and it sets the precedent of authorizing investments without paying for them, which has been the whole difficult part of putting a bill together, which this bill just kicks the can down the road on.

□ 1300

I oppose this overly restrictive rule and the path that we are taking to pretend that a bill is 6 years when we only pay for it for 2 to 3 years.

I reserve the balance of my time.

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

I remember when I ran for Congress 4½ years ago, I had this idea that because I had really good ideas and had the backing of 700,000 folks back home in the district who also had really good ideas that we were going to be able to come up here and share our good ideas; 435 of my colleagues were going to recognize the wisdom that I brought from the great State of Georgia, and we were just going to be able to make those things happen.

It has been harder than I had anticipated, Mr. Speaker; I will confess that to you. It has been harder than I had anticipated. It turns out there are some folks in other parts of the country who have some different ideas.

My friend from Colorado is absolutely right. He offered two amendments yesterday, and he only got one of them made in order. That has happened to me, too. That has happened to me, too.

We have got to talk about what we are going to define as success in this place. Are we going to define getting half of everything you want as failure, or are we going to define getting half of everything you want as a huge step in the right direction that we can celebrate together?

There are not that many bills in this institution, Mr. Speaker, that are worked through in the bipartisan, collaborative way that this one has happened. It is not easy. It is tremendously difficult—tremendously difficult. Why? Because we have legitimate disagreements about public policy—legitimate disagreements about public policy.

Now, I don't want to tamp down my friend's pessimism about 3-year funding instead of 6-year funding. I want 6-year funding, too. I have wanted it from day one, and I am prepared to vote for it today. I haven't found quite as much enthusiasm for that around not just this floor, but the floor right down the hall in the United States Senate. We are going to have to sort that out.

I tell you, with no small bit of optimism, that I think we are going to find that 6-year funding before we see a conference report back on this floor. I believe it. We need it. We have serious people working at it, and we have the ability to make it so.

But, Mr. Speaker, by any measure—by any measure—certainty of funding, certainty of authorization, bipartisanship, nonpartisanship, amendments made in order, length of time of the authorization, length of time of the funding, by any measure—this is the best transportation bill and the best transportation rule that have come to this floor in more than a decade—more than a decade.

Mr. Speaker, I don't want us to take our toys and go home claiming victory over all that ails America. That is not where we are today. I want us to take credit for making a small step in the right direction together, a step that so many of our colleagues before us have failed to succeed at together, and engage in what is sure to be not another hour or 2 or 3 or 4, but dozens of hours to continue to improve this work product of the House Transportation and Infrastructure Committee.

This is a moment of opportunity for us, Mr. Speaker. We can spend our time grousing about what we didn't get, or we can spend our time celebrating what we did get, put this bill on the President's desk, create certainty for America, and then come right back together the day after and begin to make improvements once again. That is the way this institution has always worked when it has worked at its finest, Mr. Speaker, and that is the way I expect this institution to work today.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), the distinguished ranking member of the Committee on Transportation and Infrastructure.

Mr. DEFAZIO. Mr. Speaker, in terms of what the gentleman from Georgia just said, I do appreciate the fact that we are debating many policy amendments. That is the way the process should work, both sides of the aisle contribute. That is great. Some were excluded that I think should have been included. I don't know why they weren't allowed. I was willing to stay here later last night and stay later tonight so everybody who wanted an amendment could have a chance.

But the biggest and most glaring omission by the Rules Committee is of not allowing any attempt by this House to fund the bill. That is pretty extraordinary. Actually, we probably don't even have 3 years of pretend funding in the bill because some of those offsets were spent last week in the big budget deal, so I don't know what we have left. But it sure as heck isn't anywhere near 6 years of funding; and it is not 6 years of funding at a more robust level, which is necessary.

Even if we funded this bill for 6 years, at the end of 6 years, our infrastructure will be more deteriorated than it is today. It is deteriorating more quickly than we are investing. That is a problem.

We need to increase the investment. We haven't raised the Federal gas tax since 1993. That is a user fee, a user fee created by President Dwight David Eisenhower, raised again by Ronald Reagan, and then finally by Bill Clinton the last time it was increased. A bipartisan idea: user fee. Fund infrastructure for transportation with a user fee.

The U.S. Chamber of Commerce supports an increase in the user fee. The American Trucking Association supports an increase in the user fee. We

are virtually being begged by interest groups out there representing consumers and commercial users of the system to do something, vote on something.

I offered a really simple little amendment. Let's just index the existing gas tax so we don't lose more ground. If we did that, gas would go up 1.7 cents a gallon next year. I think consumers would be outraged. No, they wouldn't be outraged. They would be pleased we started filling in the potholes and doing away with the detours around the bridges that are closed.

If you indexed and you project that, you could borrow money against the future income following the budget rules of PAYGO. We could borrow $100 billion and fill in the huge hole in this bill and then use some of those so-called pay-fors to increase spending under this bill.

Why can't we have a simple vote on revenues, a vote by the House of Representatives?

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say that I can identify with the gentleman from Oregon's frustration.

The frustration you see is not from a gentleman who does not have any power over the process. He is the ranking member of the Transportation and Infrastructure Committee. But the rules of the House prevent the Transportation and Infrastructure Committee from funding transportation. It is an incredibly powerless space to be in.

Your job on the Transportation and Infrastructure Committee is to come up with good transportation policy. You just can't pull any of the levers that fund it. That is the frustration you hear from my friend from Oregon, and I don't discount that in the least.

What I do discount, however, is any suggestion that what is happening today is in any way unprecedented. My friend from Oregon first began serving in this House when Ronald Reagan was President of the United States, and not one Ways and Means major funding bill has come to this House floor under an open rule in any day of the gentleman's service—not one. Not one Ways and Means bill funding this government has come to the House floor under an open rule. Not under Republicans, not under Democrats, not ever—not ever.

There are lots of reasons for that. I don't need to get into arcane budget policy. But what I do need to say is we have an opportunity in conference to solve this problem. We are grappling with openness in this institution. I am excited about it, Mr. Speaker. A lot of folks say, oh, we can't have openness on the floor because we will have to take tough votes. I say, if you don't want to take tough votes, don't run for Congress.

We have a serious challenge, however, in whether or not we allow a committee, like the Ways and Means Committee, whose sole purpose, whose sole jurisdiction, covers tax matters—no one else covers tax matters other than the Ways and Means Committee. Do we allow them to grapple with funding issues, or do we bring an amendment to the floor, debate it for 9½ minutes, and change Federal tax policy together? We can do that.

I am glad we are not doing Federal transportation policy in a 9-minute stint. I am glad we worked on it, again, not for days, not for weeks, not for months, but for years, together, to get policy that worked.

It is very puzzling to me, again, by any measure—by any measure. This is the best transportation process and the best transportation rule that this body has seen in a decade. We can choose to recognize that and improve upon it, or we can choose to continue the self-flagellation that seems to constitute government today. I don't understand it. I am very proud to be in this body. I am very proud to work with each one of you, and I am very proud of the work that we have done together.

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

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

I need 10 minutes at least to respond to that assertion. There is no party with whom I have served over the last 35 years that has been any more into self-flagellation of the United States Government, the American Government, than his party. I will say with all due respect.

Mr. WOODALL. Will the gentleman yield?

Mr. HOYER. No.

Mr. WOODALL. The gentleman is not talking about me. The gentleman is talking about my party.

Mr. HOYER. I talked about your party.

Mr. WOODALL. I thank the gentleman.

Mr. HOYER. But I will tell you that I disagree with the gentleman's basic premise. He talks about the rule. The rule is not the issue. I am against this rule. Its substance, that is what the gentleman from Oregon was talking about. He was talking about investing and making America grow, creating jobs. That is what we ought to be debating, not some rule for you to have a lot of amendments. You can have a zillion amendments. If they are all awful, it won't be a good rule.

I rise in opposition to this rule. I rise in opposition because it would make in order several amendments that undermine the will of a majority of both parties in this House, that the Export-Import Bank should be reopened immediately.

I said for a year and a half the majority of this House was for it; and for a year and a half, it was bottled up by a committee chairman in a closed process.

Since some Republicans blocked an extension of the Export-Import Bank's charter authority and let it shut down in July, hundreds of American jobs have been shipped overseas, and exporters and their workers have been unable to compete on a level playing field in foreign markets.

Last month, in a historic effort, virtually all Democrats and a majority of Republicans came together to end the gridlock and take steps to allow the House to work its will and hold a vote on reopening the Export-Import Bank. This rule seeks to reverse that process.

When that vote was finally held, Mr. Speaker, 127 Republicans finally got the opportunity to work their will—a majority of their Conference—and joined with every Democrat, save one, to reopen the Bank and create jobs in our country.

The will of this House is clear, unequivocal. The best way to reopen the Bank is by keeping, unchanged, in this highway bill the Heitkamp-Kirk language, a bipartisan amendment from the Senate that 313 Members, otherwise known as 75 percent of this body, voted for last week on this floor. The amendments that this rule would make in order are, in effect, a last-ditch attempt by the Bank's opponents to undo the will of the majority of this House.

I urge my colleagues to oppose this rule; and should it be adopted, as is likely the case, I urge every one of my colleagues who voted to reopen the Export-Import Bank last week to stand together in defeating every single amendment offered on the Export-Import Bank so we can stand together to defeat all of the amendments that are offered on the Export-Import Bank.

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

Mr. POLIS. I yield the gentleman an additional 25 seconds.

Mr. HOYER. It is a Senate bill and a House bill that are exactly the same. If they had been passed alone, they would be on the President's desk right now.

Once again, we need to help American exporters; but more importantly than that, we need to help American workers get and keep jobs. We talk a lot about it. This is an opportunity to do it. Defeat any and every amendment, no matter how sugary it may sound, to defeat the Export-Import Bank.

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

I don't fault my friend from Maryland for not yielding. He had very limited time. I remember the days of the magic minute. Those were better yielding days.

Mr. HOYER. But I will yield to him on his time.

Mr. WOODALL. I appreciate that. The gentleman is always generous.

Mr. Speaker, while the minority whip was the majority leader of this institution, this House did a lot of big things—a lot of big things. But what they couldn't do—what they couldn't do—was a bill like the one that Ranking Member DEFAZIO and Chairman BILL SHUSTER have brought to the floor today.

□ 1315

We can cast this dye and call it anything we want to; but the fact of the matter is it is a success, and it is one that we have done together. I don't know where partisanship comes into this process, and it will be a shame if it comes in today because it sure hasn't been in in the previous days, weeks, months, and years that we have been working on this process.

I had some great ideas for this bill, Mr. Speaker, and I serve on the Transportation and Infrastructure Committee. Where better for a fellow with great ideas on transportation to work than on the Transportation and Infrastructure Committee.

So I knocked on my chairman's door. I said, Mr. Chairman, I bring the wisdom of the Seventh District of Georgia. I have crafted it all here in legislative language for you. Let me just go ahead and give it to you so you can include it in the base text.

Do you know what the chairman said to me?

He said, ROB, we are doing this in a collaborative manner. If your ideas are that good, you are going to find some folks on the other side of the aisle who believe in your ideas, too. You bring me back those ideas. Together, we will get it done.

He was right. That is exactly what I did. My ideas were that good. Thank you very much. I did go out and find some collegiality on the other side of the aisle, and we did include those ideas in the base text. That is what this product is.

You can't do that on every piece of legislation, Mr. Speaker, as the divisions are too great; but the minority whip was right—this is about jobs. There is not a local mayor in the country who doesn't know that, as one's transportation infrastructure and education infrastructure goes, so goes one's community.

We need to solve that education piece. Today, we are going to solve the transportation piece. Not once in more than a decade has a bill come to the floor of this House with the kind of commitment to transportation and infrastructure that this bill has today. My hope is, somewhere in these 81 amendments this rule makes in order, we will be able to improve upon that bill. If nothing else, if we can't improve upon it, at least we can find out where the will of the House is by defeating those amendments.

Mr. Speaker, this is the process I ran to be a part of. This is the way I imagined the House to work. I am very proud to be here today, and I hope my colleagues will take some of that pride as well.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL), a member of the Committee on Ways and Means.

Mr. PASCRELL. Mr. Speaker, I was proud to join my Ways and Means Committee colleague, my counterpart—Mr. RENACCI of Ohio—along with several other Members, in submitting to the Rules Committee a modified version of our bipartisan bill to provide long-term, sustainable funding for our highways and bridges, which this bill does not do.

Our proposal would have used the next 3 paid-for years to set up a task force to devise a plan to fund the remaining years of the bill. Continuity can ensure that construction projects and the jobs they provide don't come to a grinding halt when Congress fails to act.

The fact that our bipartisan amendment to save the highway trust fund was shut out from floor consideration but that the devolution crowd gets a vote on their plan to dismantle the fund speaks volumes about how this leadership views the concept of an open process and regular order, to say nothing of the place for compromise and bipartisan solutions.

Look, we have a diverse coalition of colleagues who is cosponsoring our plan. We have support from a broad coalition of business, labor, construction, engineering, and transit advocates.

Let's be frank. Be it under Democratic or Republican control, this body has been loath to make the tough decisions needed on the issue of transportation funding. It is a disgrace that our bipartisan team was not given the chance to put the trust back into the trust fund.

I urge my colleagues to send a message by opposing this bill.

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

''Disgrace'' is a strong word from my friend; but I would say that, if there is disappointment in this institution, it is that the Ways and Means Committee, with the sole jurisdiction over funding transportation, has failed under both Republican and Democratic leadership to provide long-term transportation funding. The gentleman serves on that committee. I don't. I welcome his support on the steering committee if I try to make that move.

It is not easy, Mr. Speaker, to find that transportation funding, and the gentleman made a passionate pitch in the Rules Committee last night about the importance of keeping the user fee dynamic at play here.

Mr. Speaker, there was a time when the transportation bill was pushed by folks back home, not because they needed transportation certainty, as they so desperately need today, but because the local jurisdiction was only getting back about 80 cents out of every gas tax dollar they were sending in. They wanted to push that number up to 81 or to 82. It brought us all together around pushing a bill.

When we decided we didn't have the courage in the United States Congress—I was not in this institution at that time—to actually fund what it was that we had paid for, we began taking money out of general revenues and just stuffing it in the transportation trust fund. Now, if you are a road builder, if you are in the business of getting people to work, if you are in the business of getting families out of traffic, if you are in the business of making America's economy grow, you thought that was a trade worth making. You had no idea that, now that every State is getting back more than a dollar for every dollar of taxes they send in, it is really hard to get people back to the table to fix the problem that the gentleman is speaking of.

We are at a nexus here, Mr. Speaker, between trying to solve a problem and trying to preserve our user fee system. I don't know where the division in the road is going to go. If we fail to maintain the user fee system when we find the additional year 4, year 5, and year 6 of transportation funding, we may never get it back.

Mr. Speaker, I represent a very conservative area in the great State of Georgia. We don't much care for taxes of any kind. We don't mind taking care of one another, but we feel like we do it better ourselves than do folks from far, far away. My local jurisdiction rejected Federal gas taxes. It rejected State gas taxes. It passed for themselves a $200 million bonding initiative to build roads locally because they believed they would get it done. Users are paying for those roads.

There is not a conservative in this country, I would posit, who is unwilling to pay for what it is that he uses. It is our job to go sell that to folks—that, if you use it, you need to pay for it—and there is no shame in that. It is a constitutional responsibility that we have in this body, and it is one we ought to be proud to stand up and support.

Though, I would say to my friends on the other side of the aisle that we are going to have some EPA discussions in this legislation. My folks back home don't believe that, if they send a dollar to Washington, they are going to get a dollar's worth of roads back in return. They don't. They believe 10 percent is going to come off here and 10 percent is going to come off there. It is going to be wasted on regulatory compliance here, and it is going to be wasted on silly Federal mandates there; and they are going to get 50 cents of road for a dollar's worth of taxes. I don't think they are all wrong about that, Mr. Speaker. I think there is a lot of wisdom in that suspicion.

Now, this bill does a lot to correct that.

Two days ago, we had the ranking member of the Transportation and Infrastructure Committee in the Rules Committee, who was making that very point, which is that this bill is working to restore that trust.

I say to my friends on the other side of the aisle, who worry about funding as I worry about funding, if we restore that trust, we will have access to the funding.

It is a very challenging issue, Mr. Speaker. It is our responsibility, in

having lost that trust, to restore it. This bill takes a major step in that direction.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Committee on Ways and Means.

Mr. BLUMENAUER. I thank the gentleman.

Mr. Speaker, my friend from Georgia suggests that this is very complex and difficult and that we have wrapped ourselves around the axle, and we can't do this in the Rules Committee or in the Transportation and Infrastructure Committee.

That is hogwash.

I wish that the Ways and Means Committee would have accepted the legislation that I have had for the last 5 years that is supported by the Chamber and the truckers and AAA and bicyclists and engineers—but, no, they have not done it. We could have an opportunity with this bill. There are a number of my colleagues who have proposals for finance, but they wouldn't even make in order a study, for heaven's sakes.

This year, seven Republican States, including Georgia, have raised the gas tax. They have followed the admonition of President Ronald Reagan in 1982, who called on Congress to come back after Thanksgiving recess and raise the gas tax.

The gentleman was not there when I testified, but I submitted a list of 18 organizations that support raising the gas tax, and we are not even allowed an opportunity to debate it on the floor. That is why we can't do as good a job as we want with this transportation bill.

And what are we given?—a 6-year shell with 3 years of, sort of, pay-fors—I like this—requiring the Federal Reserve dividend, which is opposed by most of my Republican friends. There are 150 people who signed a letter, saying that it is really stupid to sell the strategic oil reserve at twice what the current price is and—one of my favorites—having bill collectors hound poor people for their taxes. The last two times we tried it, it lost money.

This is a fraud. I urge rejection.

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

As a Rules Committee member—and it is called the powerful House Rules Committee for a reason—I am thrilled to see the parade of my Ways and Means colleagues on the House floor, who are saying that what Ways and Means doesn't get done we should be doing in the Rules Committee instead. I am excited about that as, I am sure, my friend from Colorado is as well. Together, we can do a lot of good tax policy.

I have a bill called the ''FairTax.'' I haven't been able to bring it to the floor yet. With the endorsement now of two of my Ways and Means' friends that we ought to be able to make these amendments in order on major funding legislation and bring them to the floor, I am looking forward to trying to get that delegation letter going. I don't have any Democrats on the bill right now, but I would welcome anybody. It is H.R. 25, the fundamental tax reform bill. I would love to bring that to the floor.

Mr. Speaker, we are talking as if it is over right now, as if there is no more debate left to have. That is what is nonsense. We are going to continue improving this bill throughout the afternoon and into the night and into tomorrow. We are going to take this bill to conference and improve it still.

I have said it once, but I will say it again: the opportunity for 6 years of funding is still there.

This isn't the time to turn the firing squad inward. This is the time to stand shoulder to shoulder and get out there and do this together. We believe in that, Mr. Speaker. We couldn't reach agreement with the Senate last year because they wanted 3 years of funding, and we wanted 6. We were dreaming the big dreams, not as Republicans and Democrats, but as the U.S. House of Representatives—as the people's House. Those days are still upon us. We have an environment in which to win. I hope we will seize it.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. TITUS), a member of the Committee on Transportation and Infrastructure.

Ms. TITUS. I thank the gentleman.

Mr. Speaker, when the new Speaker took the gavel last week, he promised us that the House would run differently in that Members on both sides of the aisle would get a chance to bring forth amendments and that the House would debate the merits of those.

Today, I am reminded of the saying, ''Plus ca change, plus c'est la meme chose.''

Like the gentleman admonished and as the chairman said, I worked across the aisle and brought a bipartisan amendment with my friend, Mr. DAVIS from Illinois. It made a small change about the local use of transportation dollars. Despite overwhelming support, we were denied the opportunity to bring that amendment to the floor.

In the middle of the night, in the backroom here in the Capitol, the majority decided that the will of the people simply didn't have to be heard on this important transportation issue; yet they have allowed 10 amendments to be heard on the Export-Import Bank, which have nothing to do with transportation, and the issue of which was resolved a week ago.

Indeed, I say, the more things change, the more they stay the same. So, despite all the fancy rhetoric you are hearing, I would urge you to remember that and to vote ''no'' on this rule.

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

With this new order that we have here, we are going to have to work through it together, and it is not going to be easy. For the folks who think it is going to be easy, I would go ahead and turn your voting card in now and let somebody else come up here and do the work. It is not going to be easy. It is going to be hard.

□ 1330

Because what constitutes regular order for us? How do we work together?

My friend from Nevada just talked about her amendment that the Rules Committee didn't consider. She is absolutely right. That said, she offered the amendment in committee and withdrew it before we had a chance to vote on it.

We had this topic before us in the Transportation Committee and didn't do it there. Folks chose to do it on the House floor and in the Rules Committee instead. Is that the way we want this institution to work? Do we want to ignore the issues at the committees of jurisdiction and bring them to the House floor straightaway, or do we want to work through the committee process?

I don't have all the answers, Mr. Speaker. I have one vote in a body of 435. I generally side on the side of openness as opposed to being closed. I generally side on the side of voting instead of not voting.

Of all the rules I have had a chance to handle, Mr. Speaker, in the 4½ years the good people of the Seventh District have entrusted me with their voting card, this bill that we have before us, this rule that we have before us makes in order more voices than any other rule I have ever handled.

If folks don't think we have gone far enough today, fair enough. Let's talk about it again tomorrow. But I challenge you to tell me that we did it better yesterday, not ''we'' the Republicans yesterday, not ''we'' the Democrats yesterday, but ''we'' this House yesterday.

I have been watching this institution a long time. Not in more than 10 years have we even considered a bill of this magnitude on the floor of the House, and I am pleased that we finally came together to do it today.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. DELANEY).

Mr. DELANEY. Mr. Speaker, my good friend from Georgia talks about the certainty that will be obtained by this bill. There will be certainty. There will be an absolute certainty that we will continue to underinvest in our infrastructure in the United States of America for the next 6 years.

Mr. Speaker, because of recent funding levels, we have caused the infrastructure in this country to be underinvested by a huge number. People estimate we have a $6 trillion shortfall in our infrastructure. Well, that is a huge challenge. It is also a huge opportunity. If we could actually increase our investment in infrastructure, we

would create jobs, we would improve the lives of our constituents, and we would make our country more competitive.

Instead, we are looking at a bill that locks in infrastructure spending at current levels for another 6 years. How anyone could possibly look at the facts, look at the data, and look at the situation of the infrastructure in this country and conclude that that is the right answer is beyond my comprehension.

The only way to stop this chronic underinvestment in our infrastructure that will cause the infrastructure crisis in this country to continue to build is to reject this rule and reject the underlying bill so that this Congress can go back to the drawing board and figure out smart ways to increase our funding in infrastructure.

There are bipartisan solutions. We have heard about some of them today. One of the ones that I have worked on for years is to tie increasing our investment in infrastructure to international tax reform, where we have trillions of dollars sitting overseas trapped. If we can create pathways for that money to come back, we can allocate additional revenue towards infrastructure and increase our investment in infrastructure so we will not continue to have the problem of chronic underinvestment in our infrastructure and we can rebuild America.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I want to say to my friend from Maryland he is absolutely right. We could do better in terms of certainty.

I would remind the gentleman that when Democrats ran this institution the cycle before I got here, they passed six different transportation extension bills in 2 years. That means we are averaging 4 months of certainty.

This bill, even under the most pessimistic assertions, gives us 3 years of certainty, which is more certainty than America has seen in a decade. I am not trying to stop trying, Mr. Speaker. I want us to keep fighting forward together. I just want us to recognize that this is the best we have done in a long, long time. Let's take advantage of having done the best we have done in a long, long time, and let's keep trying to do better.

Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. DUNCAN), a senior member of the Transportation Committee.

Mr. DUNCAN of Tennessee. Mr. Speaker, first, I thank the gentleman from Georgia for yielding me this time. In my 27 years in this Congress, I can think of very few Members who are better orators, greater speakers than the gentleman from Georgia; and I appreciate his giving me this time.

I rise in support of this rule.

Later today, Congressman PAULSEN of Minnesota and I will be offering an amendment that, I think, is very technical in nature; but it is designed to help the smallest businesses in the trucking industry.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for including some provisions from a bill that I introduced in the base text that establishes hiring practices that a freight broker must follow.

My and Mr. PAULSEN's amendment clarifies the requirements that a freight broker must meet before hiring a motor carrier for the delivery of goods. This bill will require a broker to check to ensure that a motor carrier is first registered with, and authorized by, the Federal Motor Carrier Safety Administration to operate as a licensed motor carrier; and, secondly, that it has the minimum insurance required by Federal law; and, third, it has the satisfactory safety fitness determination by the FMCSA. My amendment inserts ''or be unrated'' in the third requirement.

Currently, there are thousands of small trucking companies which have yet to be audited by the FMCSA. By adding the words ''or be unrated,'' we ensure that these very small companies will not be precluded from being in the pool of eligible motor carriers that can be used for shipping goods.

Without this modest change, thousands of very small, very safe trucking companies will be eliminated from the pool of eligible motor carriers just because the FMCSA has not had time or staff levels enough to rate them. Without this amendment, thousands of small companies that have never had a wreck or a violation will be hurt.

So, without this change, we will hurt small businesses and drive up the cost of shipping goods for everyone. This is an amendment for the little guy, the mom-and-pop operators.

There is a second part to this amendment that address a fourth requirement that must be checked by the brokers. This fourth condition requires a broker to check to make sure that a motor carrier has not been issued an out-of-service order to prohibit a carrier from conducting operations.

To conclude, I will just say my and Mr. PAULSEN's amendment ensures that we have only safe trucks on the road and that thousands of small businesses are not hurt in the process. This amendment is supported by the Owner Operators Independent Drivers Association, the Transportation Intermediaries Association, various other associations, the International Warehouse Logistics Association, and on and on.

I would urge my colleagues to look into this amendment and hopefully support it later today when we bring it to the floor.

Mr. POLIS. Mr. Speaker, many American workers don't have access to paid sick days, which means they can't miss work without losing a day's pay or risking their job security, sometimes even endangering the public health by spreading their flu or cold to others.

Mr. Speaker, everyone should be able to take care of themselves or their loved ones when they are sick and not have to worry about losing their job or falling behind on their bills.

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. I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to the previous question. Defeating the previous question will allow us to amend the rule to provide for consideration of the Healthy Families Act. It is an act that would allow workers to earn up to 7 days of job-protected sick leave every year.

Being a working parent should not mean choosing between your job and taking care of yourself and your family. But at least 43 million private sector workers, 39 percent of the workforce, must make this decision every time illness strikes. Millions more cannot earn paid sick time to care for a sick child or for a family member.

Employers ultimately suffer when workers have to make this choice. Increased turnover rates amount to greater costs. And employers can jeopardize the health of other employees when their policies force employees to come to work sick.

Paid sick days policies have been enacted successfully at the State and local levels. Nearly 20 jurisdictions across the country have adopted paid sick day laws, and there is strong public support for universal access to paid sick days. Eighty-eight percent of Americans support paid sick days legislation.

The Healthy Families Act allows working families to meet their health and financial needs while boosting businesses' productivity and retention rates.

It ultimately strengthens this Nation's economy. It is common sense, business savvy, and it is the right thing to do. Let's protect the public health, boost the economy, help hardworking families have access to paid sick days. Let's pass the Healthy Families Act.

I urge my colleagues to oppose the previous question.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), the ranking member on the Ways and Means Subcommittee on Select Revenue Measures.

Mr. NEAL. Mr. Speaker, we shouldn't be bragging about this legislation today, boasting about this legislation. Let me give you the perspective of 27 years here.

This used to be the easiest legislation to pass in this institution. It created

greater cost efficiencies. It created greater investment and, just as importantly, it put people to work immediately.

There was no hearing held on the tax title portion of this bill. There was no operation or opportunity for Members to offer amendments in the Ways and Means Committee. Now, let me point out, for that 4-year period when we were in the majority, I held those hearings; and then after the loss of elections, during those 4 years, nothing ever came of it again.

We have repeatedly urged the opportunity to talk about a genuine mechanism for financing the Federal highway system, our airports, our railroads; and the opportunity has not availed itself.

To point something out here that I think is noteworthy as well, this financing is held together by bubble gum. How many times are we going to sell the oil in the Strategic Petroleum Reserve? Every time I turn around, it becomes the pay-for these days. Is there any oil left in there? That is how we are going to finance the Federal highway system?

A reminder, what I heard earlier that in some States people only want to pay for services that they use, that was the revenue mechanism, the user fee, the gas tax that allowed people to pay for the services that they used; namely, driving along on the Federal highway system. Now, how is that for a complication?

We are here today because we have not adequately addressed the Federal highway system's responsibility and that begins in this House of the Congress where all financing, according to our Constitution, is supposed to originate. If the Ways and Means Committee isn't taking it up, there is no opportunity for the House to take it up.

Don't brag about this rule today. It is a bad rule, and we should vote it down and get on with financing the Federal highway system the way it is supposed to be financed.

Mr. WOODALL. Mr. Speaker, I yield myself 15 seconds.

I just remind my friend, during the Congress before I arrived when he was chairman, four different extensions of the highway trust fund, not one of them was funded with a change in the gas tax.

Mr. NEAL. Will the gentleman yield?

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

Mr. NEAL. Mr. Speaker, we held the hearings. We went through it. We had the Chamber of Commerce in, the American Trucking Association, and we had organized labor in. We were set to go, and then we lost the institution and that was the end of the discussion about the Federal highway system.

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

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Vermont (Mr. WELCH), a member of the Committee on Energy and Commerce.

Mr. WELCH. Mr. Speaker, as Mr. NEAL said, this transportation highway bill used to be a solid, bipartisan bill that invested in the future of this country. This Congress has set different expectations. I think if we are candid with ourselves and with the American people, we have become a low-expectations Congress. I guess it could be said that this bill meets, but certainly doesn't exceed, the low expectations that prevail in this body.

It is true that it will have a 6-year bill authorization with 3 years of bubble-gum-styled funding. That is going to give some certainty to the agency of transportation in Vermont, so it is true that this is better than when we were doing 3-month extensions and 5-month extensions on ''pension smoothing.''

You know what? America deserves better. America needs more, and we can provide it. We have jobs to create, work to be done, workers ready to put shovels in the ground and to get America moving again. It is within our power, both sides, to make that happen. But it can't happen if we are so fearful to even discuss revenue measures that we don't have hearings on them.

□ 1345

We have had good proposals from Mr. BLUMENAUER, a bipartisan proposal with Mr. RENACCI and Mr. PASCRELL, the Delaney proposal. There are solutions out there that are going to invest in this country, generate jobs for this economy, increase the gross domestic product, and make our economy more competitive and our highway system safer.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Ms. EDWARDS), a member of the Committee on Transportation and Infrastructure.

Ms. EDWARDS. Mr. Speaker, I rise today in opposition to the rule precisely because it makes in order various Export-Import Bank amendments that are actually designed to kill what we just did to make sure that we could reauthorize the Export-Import Bank.

Nonetheless, I am grateful to Chairmen SHUSTER and GRAVES and Ranking Members DEFAZIO and NORTON and their committees and their personal staffs for their leadership in trying to move forward a 6-year reauthorization.

All of us have acknowledged that this is far from perfect, but the fact is, America is literally falling apart: by asphalt, by rebar, by cement, by steel, by rail, pothole by pothole, just falling apart. The United States now ranks 16th in infrastructure according to the World Economic Forum. According to the American Society of Civil Engineers, the overall assessment of our infrastructure ranks is, I am sad to say, a whopping D plus.

As some of you remember from The Washington Post back in February, a constituent of mine was driving on the Suitland Parkway, just outside of D.C. She was minding her own business, running her errands. What happens? A chunk of cement falls down and hits her car. That is right, a chunk of cement falling from the beltway to hit her car on the Suitland Parkway. Fortunately, no one was injured, but this is just one example of a project that was on the Federal list and simply wasn't worked on because there was no money to do it.

I support what we are doing today in terms of a bipartisan authorization for a long-term authorization, but this is nowhere near what we need to do to repair the couple of trillion dollars in infrastructure deficit that we face in this country that is causing us not to be as competitive as we need to be and really is taking up a bunch of time for people who are stuck on roads that are going nowhere.

Let me be clear, this is not the bill that I would have written. It is not perfect, but maybe it is the best that we can do under the circumstances. Clearly, though, we shouldn't have a 6-year authorization with only a couple years of funding. There have been numerous proposals to fund our long-term infrastructure.

I am grateful that I was able to at least work on a couple of amendments regarding oversight of the Washington Metropolitan Area Transit Authority, WMATA, and I look forward to continuing to work on these efforts.

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

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

Mr. Speaker, a few of my colleagues have talked about selling down the Strategic Petroleum Reserve. I think that is a great bipartisan idea to pay for something. We actually no longer need to have crude oil in the Strategic Petroleum Reserve.

Our Nation is a net producer of crude oil, so they are actually stockpiling the same stuff that we are talking about exporting; namely, unprocessed crude oil. There is a component of the crude oil reserve that is heating oil that is processed. That is still necessary. That is not being sold down. Nobody has talked about selling that down. I think we can use the Strategic Petroleum Reserve as an additional pay-for for other items until it is successfully phased out over the next few years. I think this bill is the first step. I applaud my colleagues for including it.

Keep in mind, though, it is an accounting trick in terms of the dollar value of that. They are assuming that it will be sold at roughly twice the current price of oil. That may happen; it may not. We don't know. But at least it is being sold, and that is a good thing.

A third of our Nation's roads are rated poor or mediocre. We need to do better. We have a responsibility to address the transportation and infrastructure crisis.

If you have ever been to Fort Collins, the biggest city in my congressional district, home to Colorado State University, you have found a lot of traffic along Interstate 25.

If you have ever traveled Interstate 70 to our world-class ski resorts, like Vail or Breckenridge, you might very well have been locked in traffic as you went out there to enjoy the ski season or the summer high season.

Fort Collins, Loveland, Boulder, Vail, Frisco, Breckenridge, these are our communities that are tourism-and recreation-driven, and we need a 21st century transportation solution that provides consistency in funding levels, not a shell game to fund 2 years of a 6-year bill.

We need to open up a future for major highway improvements, like we need on Interstates 25 and 70. We need to put politics aside and not shroud a 2-year bill behind a facade of a 6-year bill. Our parents and grandparents sacrificed to build a world-class national infrastructure system, but we need the courage to maintain it and improve it for the 21st century.

I urge my colleagues to consider the responsibility of this maneuver. I urge defeat of the previous question, and I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, may I inquire how much time remains on my side?

The SPEAKER pro tempore. The gentleman from Georgia has 5¾ minutes remaining.

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

I appreciate my friend from Colorado working with me on this rule today. I appreciate all the folks on the Committee on Transportation and Infrastructure who made this possible, and the whole body that came in front of the Committee on Rules, bringing amendments to try to make the bill better.

I don't want to suggest that the differences that we have between one another here are in any way going away because of this bill. They are not. I have heard passionate speech after passionate speech about funding of this bill.

I share some of those concerns, but I represent a county of 200,000 people who just raised $200 million in a bonding initiative to build their roads. Until my colleagues have raised the taxes on their constituents by $1,000 on every man, woman, and child—$4,000 on a family of four—to build roads back home in your district, please don't come and ask my constituents to pay even more.

Georgia is one of the States that has raised its gas tax, from a 7 cent sales tax to a 26 cent excise tax. When your State has taken on that same burden of responsibility, come back to me and tell me how much more Georgia needs to put in to help you.

The devolution of the transportation trust fund has long been a conversation in this body, but by holding the Federal gas tax constant over these years, that devolution has been happening naturally with the effect of inflation, and localities are picking up the tab.

You know what we are celebrating this week back home, Mr. Speaker? This is election week, of course. A year ago this week is when Forsyth County passed its $200 million bonding initiative. You know when they broke ground on the project, Mr. Speaker? This week. This week. You tell me that time is money. It is true in transportation.

I challenge you to find that Federal project that you are working on back home in your district that you are going from conception to groundbreaking in 12 months. I want to help you find the funding to make it happen, I do, because, clearly, you are running at a heightened level of efficiency, and it deserves our support.

Mr. Speaker, the reason we need this bill is because we are not getting a dollar's worth of value out of a dollar's worth of Federal taxes. The reason we need this bill is to help make some of those bipartisan reforms to the infrastructure program that just don't make sense. They just don't make sense in the 21st century, and it is no wonder. Democratic Congresses failed to succeed in this effort. Republican Congresses failed to succeed in this effort. This Congress is succeeding in this effort.

There are 81 new amendments with this rule today, 81 new ideas with this amendment today. Mr. Speaker, the underlying bill has more certainty and more funding than any other proposal this body has considered in more than a decade. This rule has more openness, more voices, and more amendments than any other rule of this nature that I have been able to handle in 4½ years here.

We don't get it right every day. We don't get it right every day. Votes don't go the way I want them to go every day, but we have got a chance, Mr. Speaker. We have got a chance with this bill, with this process, with this new House leadership team to restore the trust that has been lost for far too long.

Mr. Speaker, I urge support for the rule and the underlying resolution.

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

AN AMENDMENT TO H. RES. 512 OFFERED BY MR. POLIS OF COLORADO

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

SEC. 8. 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. 932) to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families. 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 respective chairs and ranking minority members of the Committees on Education and the Workforce, House Administration, and Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 9. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 932.

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. WOODALL. Mr. Speaker, 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 8 of rule XX, further proceedings on this question will be postponed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1019

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor on H.R. 1019.

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

There was no objection.

HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 507 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 Senate amendments to the bill, H.R. 22.

Will the gentleman from Idaho (Mr. SIMPSON) kindly resume the chair.

□ 1356

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 Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose on Tuesday, November 3, 2015, amendment No. 45 printed in part B of House Report 114–325 offered by the gentlewoman from California (Mrs. NAPOLITANO) had been disposed of.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT OFFERED BY MR. ROTHFUS

Mr. ROTHFUS. Mr. Chair, I ask unanimous consent to withdraw my request for a recorded vote on my amendment to the end that the amendment stands disposed of by the voice vote thereon.

The CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIR. Without objection, the request for a recorded vote is withdrawn. Accordingly, the ayes have it and the amendment is agreed to.

There was no objection.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114–325 on which further proceedings were postponed, in the following order:

Amendment No. 37, as modified, by Mrs. HARTZLER of Missouri.

Amendment No. 39 by Mr. ROONEY of Florida.

Amendment No. 41 by Mr. DESAULNIER of California.

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

AMENDMENT NO. 37, AS MODIFIED, OFFERED BY MRS. HARTZLER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Missouri (Mrs. HARTZLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 172, noes 255, not voting 6, as follows:

[Roll No. 594]

AYES—172

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benishek
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cramer
Crenshaw
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Guthrie
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kinzinger (IL)
Kline
Labrador
LaHood
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Massie
McCarthy
McClintock
McMorris Rodgers
McSally
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Roby
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Wagner
Walberg
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—255

Adams
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crawford
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Goodlatte
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Knight
Kuster
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
Meadows
Meehan
Meng
Miller (MI)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan

Norcross
Nunes
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Womack
Yarmuth
Young (AK)

NOT VOTING—6

Ellmers (NC)
Gohmert
Johnson (GA)
Meeks
Rush
Takai

□ 1426

Messrs. LAMALFA, CRAWFORD, SWALWELL of California, LARSON of Connecticut, MARINO, and GUTIÉRREZ changed their vote from ''aye'' to ''no.''

Messrs. REED, CARTER of Georgia, BARTON, MULLIN, Mrs. NOEM, and Mr. STIVERS changed their vote from ''no'' to ''aye.''

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 39 OFFERED BY MR. ROONEY OF FLORIDA

The Acting CHAIR (Mr. CONAWAY). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. ROONEY) 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 185, noes 240, not voting 8, as follows:

[Roll No. 595]

AYES—185

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cleaver
Coffman
Collins (GA)
Collins (NY)
Conaway
Costa
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Garamendi
Garrett
Gibbs
Gosar
Gowdy
Granger
Graves (GA)
Green, Gene
Griffith
Grothman
Guinta
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Jolly
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McMorris Rodgers
McSally
Messer
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rouzer
Royce
Scalise
Schrader
Scott, Austin
Scott, David
Sessions
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Valadao
Vela
Wagner
Walden
Walker
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—240

Adams
Aguilar
Amash
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cook
Cooper
Costello (PA)
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fleming
Forbes
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Gibson
Goodlatte
Graham
Graves (LA)
Graves (MO)
Grayson
Green, Al
Grijalva
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Higgins
Hill
Himes
Honda
Hoyer
Huffman
Hultgren
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McHenry
McKinley
McNerney
Meadows
Meehan
Meng
Mica
Miller (MI)
Moore
Moulton
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Palazzo
Pallone
Pascrell
Payne
Perlmutter
Peters
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Rice (NY)
Richmond
Rigell
Rogers (KY)
Rohrabacher
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walberg
Walorski
Walters, Mimi
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Williams
Wilson (FL)
Wittman
Yarmuth
Zeldin

NOT VOTING—8

Ellmers (NC)
Gohmert
McDermott
Meeks
Pelosi
Rush
Takai
Whitfield

□ 1431

Mr. THOMPSON of Mississippi changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. McDERMOTT. Mr. Chair, on rollcall No. 594, I would have voted "no." On rollcall 595, I would have voted "yes."

AMENDMENT NO. 41 OFFERED BY MR. DESAULNIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DESAULNIER) 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 257, not voting 7, as follows:

[Roll No. 596]

AYES—169

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell

Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Issa
Jackson Lee
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Knight
Kuster
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Matsui
McCollum
McGovern
McNerney
Moore
Moulton
Mulvaney
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Pingree
Pocan
Polis
Posey
Price (NC)
Ribble
Richmond
Ruiz
Ruppersberger
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sherman
Sinema
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Vela
Visclosky
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—257

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Bucshon
Burgess
Butterfield
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Crowley
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Doggett
Dold
Donovan
Duffy
Duncan (SC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaHood
Lamborn
Latta
LoBiondo
Lofgren
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Nadler
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Paulsen
Pearce
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Russell
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Velázquez
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—7

Ellmers (NC)
Gohmert
Johnson (GA)
McDermott
Meeks
Rush
Takai

□ 1436

Mrs. NOEM and Mr. GRAVES of Georgia changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. HULTGREN). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, had come to no resolution thereon.

PROVIDING FOR FURTHER CONSIDERATION OF SENATE AMENDMENTS TO H.R. 22, HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 512) providing for further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 183, not voting 9, as follows:

[Roll No. 597]

YEAS—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
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
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
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)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Ellmers (NC)
Gohmert
Grothman
Hurt (VA)
Meeks
Rush
Schrader
Sinema
Takai

□ 1444

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. SINEMA. Mr. Speaker, on rollcall No. 597 I was unavoidably detained. Had I been present, I would have voted "no."

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

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

RECORDED VOTE

Mr. POLIS. 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 243, noes 183, not voting 7, as follows:

[Roll No. 598]

AYES—243

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—183

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
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)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Ellmers (NC)
Gohmert
Grothman
Meeks
Rush
Takai
Yoder

□ 1451

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.

PERMISSION TO CONSIDER AMENDMENT NO. 23 AS THOUGH PRINTED IMMEDIATELY FOLLOWING AMENDMENT NO. 9 IN PART B OF HOUSE REPORT 114–326

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that, during further consideration of the Senate amendments to H.R. 22 pursuant to House Resolution 512, amendment No. 23 printed in part B of House Report 114–326 may be considered as though printed immediately following amendment No. 9 in part B of such report.

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

There was no objection.

HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 512 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 Senate amendments to the bill, H.R. 22.

Will the gentleman from Texas (Mr. CONAWAY) kindly take the chair.

□ 1453

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 Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. CONAWAY (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, an amendment consisting of the text of Rules Committee Print 114–32 was pending.

Pursuant to House Resolution 512, no further amendment to that amendment shall be in order except those printed in part A of House Report 114–326 and amendments en bloc described in subsection (c) of that resolution.

Each further amendment printed in part A of House Report 114–326 shall be considered 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, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of House Report 114–326 not earlier disposed of. Such amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

No further amendment to the Senate amendment, as amended, shall be in order except those printed in part B of House Report 114–326. Each such further amendment shall be considered only in the order printed in the report, except that amendment No. 23 printed in part B of the report may be considered as though immediately following amendment No. 9 in part B of the report. Each such further amendment may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Mr. SHUSTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HARRIS) having assumed the chair, Mr. CONAWAY, 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. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, had come to no resolution thereon.

□ 1500

PERMISSION TO CONSIDER AMENDMENT NO. 1 PRINTED IN PART A OF HOUSE REPORT 114–326 OUT OF SEQUENCE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that, during further consideration of the Senate amendments to H.R. 22, pursuant to House Resolution 512, amendment No. 1, printed in part A of House Report 114–326, may be considered out of sequence.

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

There was no objection.

HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 512 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 Senate amendments to the bill, H.R. 22.

Will the gentleman from Mississippi (Mr. PALAZZO) kindly take the chair.

□ 1504

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 Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. PALAZZO (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, an amendment consisting of the text of Rules Committee Print 114–32 was pending.

Pursuant to the order of the House of today, amendment No. 1, printed in part A of House Report 114–326, may be considered out of sequence.

AMENDMENT NO. 2 OFFERED BY MR. RYAN OF OHIO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 114–326.

Mr. RYAN of Ohio. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 56, line 8, after ''diesel retrofits'' insert ''or alternative fuel vehicles''.

Page 56, line 9, insert ''or indirect'' after ''direct''.

Page 56, line 14, insert ''or indirectly'' after ''directly''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Ohio (Mr. RYAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. RYAN of Ohio. Mr. Chairman, my amendment is cosponsored by Congresswoman NAPOLITANO and is endorsed by the Natural Gas Vehicles for America, the Electric Drive Transportation Association, and the National Propane Gas Association.

The amendment addresses one specific provision in the bill, section 1109, which modifies how Congestion Mitigation and Air Quality, CMAQ, funds can be used in PM2.5 nonattainment and maintenance areas. ''PM'' stands for ''particulate matter.''

The purpose of the CMAQ Program is to fund transportation projects or programs that will contribute to the attainment or maintenance of the National Ambient Air Quality Standards. All projects and programs that are eligible for CMAQ funds must come from a conforming Federal or State transportation plan. The program is designed to allow States to identify the right solution for their air quality challenges and utilize CMAQ funds to implement them.

Without the Ryan-Napolitano amendment, the language in section 1109 may restrict States' discretion in identifying the most cost-effective emissions reduction technologies and effectively limit their options to only diesel retrofits. Specifically, the priority consideration and use of funding provisions for the section seemingly restrict local authorities' ability to consider other alternative vehicle technologies that can be adopted to meet the goals of this section.

Other technologies, such as natural gas, propane, or electric vehicles, also reduce PM2.5 and provide other air quality benefits. In my State of Ohio and the chairman's State of Pennsylvania, being two of those States, they

allow for the use of CMAQ funds for a variety of alternative fuel vehicles. However, section 1109, as written, may limit their and other States' solutions in using CMAQ funds to address the nonattainment issue.

We should not be directing States on how to use these funds, and it is important that we keep the utilization of CMAQ funding technology neutral. Giving States the flexibility in utilizing these funds allows them to select the best vehicle technology to address PM2.5 concerns. Modifying the priority consideration and the use of funding language in this section allows us to meet the environmental goals while avoiding picking winners and losers.

I would like to thank Chairman SHUSTER for his help and Ranking Member DEFAZIO and their staffs for working with us on this amendment.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. NAPOLITANO), the amendment's cosponsor.

Mrs. NAPOLITANO. Mr. Chairman, I rise in strong support as a cosponsor of this amendment. I thank my colleague from Ohio (Mr. RYAN) for offering it. I thank the gentleman for allowing me to cosponsor it because this is an important issue for my area.

In section 1109(c), this amendment would clarify language in the bill in order for local transportation agencies to continue to fund not only highway, but transit, bicycle, and pedestrian, projects with Congestion Mitigation and Air Quality Program funds, called CMAQ. This amendment would also allow for alternative fuel vehicles to be eligible for recipient funds along with diesel retrofit projects.

A concern was brought to my attention by the metropolitan planning organizations in California, including the Los Angeles County Metropolitan Transportation Authority and the cities they represent, which includes my district in the San Gabriel Valley, that important transportation projects would no longer be prioritized for CMAQ funding.

In 2014, southern California transportation agencies—mind you, they represent over 20 million people—used CMAQ funding to provide $51 million in traffic flow improvements, $50 million in transit, and $22 million in bicycle and pedestrian projects. This amendment would clarify that these projects are still prioritized for CMAQ funding.

I thank Chairman SHUSTER and Ranking Member DEFAZIO for working with us on this amendment. I look forward to working with my colleagues in conference to further clarify that traffic flow, transit, and bicycle and pedestrian projects continue to be eligible for CMAQ set-aside programs as they are now.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I don't oppose the amendment.

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

There was no objection.

Mr. SHUSTER. Mr. Chairman, currently under the CMAQ Program, funds may be used to purchase publicly owned alternative fuel vehicles, including passenger vehicles, service trucks, street cleaners, and others.

This is a good amendment that ensures alternative fuel vehicles are still eligible under this bill. I support the amendment.

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

Mr. RYAN of Ohio. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. RYAN).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. HUNTER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 73, line 24, strike the closed quotation mark and the final period.

Page 73, after line 24, insert the following:

''(n) FACILITATING COMMERCIAL WATERBORNE TRANSPORTATION.—Notwithstanding any other provision of law, or rights granted thereunder, and provided that the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met, a property owner may develop, construct, operate, and maintain pier, wharf, or other such load-out structures on that property and on or above adjacent beds of the navigable waters of the United States to facilitate the commercial waterborne transportation of domestic aggregate that may supply an eligible project under this section, including salt, sand, and gravel, from reserves located within ten miles of the property.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, the roads, bridges, and other infrastructure projects we seek to advance in the legislation before us today require a steady supply of aggregate and gravel. Without it, we might as well not even be here debating this legislation.

In fact, a report from the U.S. Geological Survey—2011 USGS Report: Aggregate Resource Availability in the United States—found ''a 70 percent increase in annual aggregate production may be required to upgrade our transportation infrastructure.''

The report went on to say, ''There is an indisputable need for an uninterrupted, large supply of aggregate for the restoration and rehabilitation of the infrastructure.''

It is also important to note that a substantial portion of the cost of aggregate is its transportation costs, and lowering those costs will reduce the cost of construction projects.

My State of California is just one example of where the need is great. According to a recent report, California goes through 200 million tons of high-grade aggregate every year, which is the equivalent of more than 7 million trips by large diesel trucks.

So here is what my amendment does:

It streamlines access to marine-accessible sand and gravel aggregate supply points throughout the United States, allowing our country to meet the future needs of the national infrastructure projects which are covered in this legislation.

With this amendment, we have the opportunity to strengthen our supply of raw building materials for infrastructure projects, to reduce road congestion and transportation costs, and to strengthen our maritime community.

I urge all Members to support this amendment.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

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

Generally, the gentleman from California and I have worked together on a number of things, and this is one time when I reluctantly rise in opposition to his proposal.

I have spent a good deal of time on aggregate issues in my own district that relate to those which are located in the marine environment, and I understand some of the frustrations and concerns that go on there. The language in this, though, is so broad that we are preempting both the Rivers and Harbors Act of 1899 and the Truman-Hobbs Act, which relate to impediments to navigation.

At this point, that sort of amendment would, for instance, overturn an easement that has been entered into between the joint Naval Base Kitsap and the owners of this aggregate. There is a concern that, if a dock were built in that area, it would interfere with the navigation that is a prime route for our strategic submarine forces in the Pacific Northwest and the Pacific region.

□ 1515

So we think it has unintended consequences that go far beyond any idea of streamlining access to maritime aggregate resources.

So I would have to recommend Members oppose the amendment.

I reserve the balance of my time.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HARRIS).

Mr. HARRIS. Mr. Chair, I rise in support of the gentleman from California's amendments.

With this amendment, we need to start the rebirth of our Nation's shipping capabilities and begin to build

U.S.-flagged seagoing vessels to move a domestic supply of sand and gravel across our Nation.

This amendment allows access to aggregate that will be available to restore damaged beaches, enhance fisheries habitats in the estuaries and littoral regions of the Atlantic Ocean, the Gulf of Mexico, and the Pacific Ocean by providing clean sand and gravel for broad-scale beach replenishment projects that are so vital across the Nation.

This amendment will also lead to establishment of a reliable U.S. source to meet domestic demand for major construction and public projects. Half of all uses for sand and gravel are used for public projects, building and replacing vital U.S. highways, bridges, and seawall infrastructures.

Utilizing our marine transportation will save taxpayer dollars by reducing costs on public works projects because, simply put, moving containerized cargo on the water is cost-competitive, economical, and efficient.

Passage of this amendment puts our country on the path to having the potential to create at least 20,000 more shipbuilding manufacturing jobs just by building at least 30 to 40 new seagoing bulk freighters and container carrier ships worth at least $3 billion that will result if we pass this amendment.

This amendment is good for the country. It is good for our infrastructure, and it is good for creating American jobs across this country.

Mr. HUNTER. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentleman from California has 1 minute remaining.

Mr. HUNTER. Mr. Chair, I yield myself the balance of my time.

Here is what this amendment does. If you have a quarry that does gravel or aggregate by any waterway, whether it is an inland waterway, an inlet, a sound, or the ocean, you can then develop your gravel pits and put that aggregate on ships—not on trucks, not on rail, but on ships—that have a much lower emission cost than anything else does. You can put them on ships, which means it is going to help the maritime community.

We import sand and gravel right now from China. We get our aggregate right now from Communist China. Instead of doing that, let's strengthen our domestic supply and allow the aggregate producers around the country the ability to export their aggregate to domestic suppliers, to the national defense community, to our road makers, and to our building makers.

This strengthens America. It strengthens our national security. I urge all my colleagues to support this amendment.

I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chair, I yield myself such time as I may consume.

Again, this amendment waives all laws for construction of these transportation-related facilities, i.e., piers, wharfs, and load-out structures.

Now, the problem is that, if you waive all the laws, someone may want to build a pier that interferes with everybody else who navigates that narrow channel, including the United States Navy with their boomer subs. That is not really, I think, a very good way to go forward; and that was recognized by Congress as a problem in 1899, impediments to commercial navigation, in this case, strategic national defense navigation.

So I think there may be another way to get at more easily utilizing these resources. But preempting the Rivers and Harbors Act and the Truman-Hobbs Act, which means structures could be built which would impede others' navigation, is really incredibly problematic. I really think that this should be considered in a more deliberate way as part of future legislation, perhaps the Water Resources Development Act or something along those lines.

Again, I would strongly oppose the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 4 will not be offered.

AMENDMENT NO. 5 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 114–326.

Mr. DESAULNIER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 110, after line 23, insert the following:

(C)(i) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9); and

(ii) by inserting after paragraph (6) the following:

''(7) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (h), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''.

Page 111, after line 3, insert the following:

(7) in subsection (j)(3)(A), by inserting at the end the following: ''Projects included in the priority list shall come from the highest performing projects identified in the transportation plan under subsection (i)(7). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.'' after the period.

Page 114, after line 22, add the following:

(C) by redesignating paragraph (9) as paragraph (10);

(D) by inserting after paragraph (8) the following:

''(9) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted long-range statewide transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (d), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''; and

(4) in subsection (g), in paragraph (5)(A), by inserting at the end the following: ''Projects included in the transportation improvement program shall come from the highest performing projects identified in the transportation plan under subsection (f)(9). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.''

Page 244, after line 9, insert the following:

(C)(i) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9);

(ii) by inserting after paragraph (6) the following:

''(7) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (h), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''.

(7) in subsection (j)(3)(A), by inserting at the end the following: ''Projects included in the priority list shall come from the highest performing projects identified in the transportation plan under subsection (i)(7). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.'' after the period

Page 247, after line 17, insert the following:

(4) in subsection (f)—

(A) by redesignating paragraph (9) as paragraph (10);

(B) by inserting after paragraph (8) the following:

''(9) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted long-range statewide transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (d), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''.

(5) in subsection (g)(5)(A), by inserting at the end the following: ''Projects included in the statewide transportation improvement program shall come from the highest performing projects identified in the transportation plan under subsection (f)(9). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.'' after the period.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, this amendment is based on the bipartisan Metropolitan Planning Enhancement Act that rebuilds public trust by promoting evidence-based decision-making in the transportation investment process. This commonsense amendment helps States and metropolitan planning organizations offer the highest return for taxpayers and commuters through increased transparency and improved accountability.

Americans of all types are suspicious of government right now. In the context of transportation funding, many Americans believe that highway and bridge project decisions are based on politics and insider connections rather than statewide and regional transportation goals.

In many areas of the country, local commuters have little idea how State Departments of Transportation and MPOs make their project decisions or why they choose one project over another; yet, every year, lawmakers ask taxpayers to spend more and more of their hard-earned dollars on infrastructure projects with minimal transparency and accountability.

This amendment requires State and regional transportation plans to include project descriptions and to score projects based on criteria developed by the State or the region, not the Federal Government.

Requiring that projects be assessed with objective criteria ensures that limited transportation resources are invested in projects that provide the highest return on investment to commuters. Furthermore, requiring transportation decisionmakers to communicate how projects are chosen enhances the public's understanding of and confidence in the project selection process.

Many States and MPOs are incorporating project priority criteria today: Virginia, North Carolina, Tennessee, Louisiana, Texas, Washington State, Minnesota, Massachusetts, amongst others. There is plenty of early evidence that this has increased confidence within the commuting public.

Effective and efficient transportation systems are critical to our growing and prosperous U.S. economy. We cannot allow diminishing resources to be directed toward bad investments. This amendment ensures that the public has more complete information to judge the merits of projects for themselves.

Mr. Chairman, much of the debate about America's crumbling infrastructure is about how we are going to find the necessary money to match the need. As responsible legislators, we should ask ourselves how we can most efficiently invest the resources we already have.

I urge my colleagues to support this commonsense, good governance amendment.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, the proposed amendment would impose burdensome new requirements on States and metropolitan planning organizations, significantly delaying project selection and construction.

States and MPOs already, under current law, are subject to extensive planning requirements and take multiple factors into accountant in developing their short- and long-range plans. It is critical that they have the flexibility to weigh tradeoffs in different priorities without being hamstrung by a strict ranking process.

Transparency and the opportunity for participation by stakeholders and the public is a hallmark of the planning process. States and MPOs are required to have a participation plan to ensure that any interested party can be heard.

The National Governors Association, the National Conference of State Legislatures, the Association of Metropolitan Planning Organizations, and the American Association of State Highway and Transportation Officials all oppose this amendment, and they are the very people that deal with this.

I oppose the amendment, and I would urge all my colleagues to oppose it, also.

I yield back the balance of my time.

Mr. DESAULNIER. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman from California has 2½ minutes remaining.

Mr. DESAULNIER. Mr. Chair, with all due respect to the chairman, I want to thank him for his consideration.

I do believe, having seen this in the San Francisco Bay Area, that the incentive and the requirement to do more will actually help with the transparency, as I have stated earlier.

I would urge my colleagues to support the amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 6 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 114–326.

Mr. CARTWRIGHT. Mr. Chairman, I rise as designee of Representative GRIJALVA, and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1301 through 1313.
Page 168, line 12, strike ''this Act,''.
Strike sections 1315 through 1317.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chairman, this bill uses ''streamlining'' the regulatory process, which is a euphemism for ''steamrolling'' over bedrock environmental laws. In fact, it dedicates 50 pages of this bill to paving over the National Environmental Policy Act, also known as NEPA, as well as the National Historic Preservation Act, NHPA.

I know it is popular in Republican circles to blame environmental regulations for all of our Nation's ills, but that doesn't make it true. In fact, the evidence tells us an entirely different story.

The Federal Highway Administration reported several years ago, before all of this steamrolling started, that more than 90 percent of NEPA reviews for highway projects were accomplished through a categorical exclusion process that takes only a few days. For the few—and we are talking about only 4 percent—highway projects which do require an environmental impact statement, the end result is often savings for the taxpayers and better projects that cause less harm to the environment and to our communities.

Earlier this year, a plan to improve U.S. Route 23 in Michigan was modified to avoid the largest loss of wetlands in the State's history and to preserve that habitat for migratory waterfowl prized by hunters.

In New Jersey, in 2012, construction on the Route 53 causeway to Ocean City was completed after NEPA review helped them minimize private property takings as well as damage to tidal marshes.

In my own home State of Pennsylvania, construction of the Pennsylvania Turnpike/I–95 Interchange Project is underway after a thorough and public NEPA review, which was conducted with the input and support of local residents and local government officials. This process led to the selection of a design with the fewest impacts to homes, businesses, and the local environment.

NEPA does not lead to unnecessary delays; it leads to better outcomes. The real culprit in delaying highway projects is a lack of funding. To address that problem, the House majority will need to first look in the mirror. It is their draconian budget slashing that has left our transportation infrastructure in the disrepair that is in existence today.

My amendment is simple, Mr. Chair. It would require us to evaluate the impacts of the last two rounds of regulatory steamrolling passed in the

SAFETEA–LU bill and the MAP–21 bill before we take any further steps to gut environmental protection and historic preservation.

This approach is perfectly reasonable because, while there is ample evidence that regulatory reform was not needed in the first place, there is exactly zero evidence that it has had any positive impact at all because no information has been collected on the matter.

So the very least we can do, in the interest of responsible government, is evaluate the effects of the laws we pass before we declare the need for more of the same. Shirking our responsibility to appropriate highway dollars and instead just scapegoating laws that protect the American people from harm is simply dishonest.

□ 1530

I do believe the sections of this bill that this amendment strikes are seriously flawed, and I do look forward to working with my colleagues on the Committee on Transportation and Infrastructure, the administration, and our friends in the Senate on achieving a more reasonable outcome.

Mr. Chair, as the designee of the gentleman from Arizona (Mr. GRIJALVA), I withdraw this amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 7 OFFERED BY MR. HUNTER

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 225, strike lines 4 through 20 and insert the following:

(a) IN GENERAL.—The Secretary shall establish a program to permit the acknowledgment of roadside maintenance with the use of live plant materials.

(b) TERM.—The Secretary shall carry out the program for a 10-year period. Upon the request of a State, the Secretary may continue to carry out the program for that State for an additional 10-year period.

(c) PARTICIPATING STATES.—The Secretary shall select 10 States to participate in the program.

(d) GUIDELINES FOR SELECTION OF STATES.—

(1) IN GENERAL.—The Secretary shall establish guidelines for selecting States to participate in the program.

(2) DISCRETION OF STATES.—The guidelines shall not limit the discretion under subsection (e) of any State participating in the program. Any other guidelines relating to the participation of a State in the program shall be established by that State, subject to subsection (e).

(3) PRIORITY.—In selecting States to participate in the program, the Secretary shall give priority to any State that can provide documentation demonstrating that the State, or its agents, prior to November 2015, actively reviewed, or stated an interest in, innovative approaches using live plant materials for acknowledging a substantial contribution to roadside maintenance.

(e) INCONSISTENT LAWS, REGULATIONS, OR MANUALS.—Notwithstanding any other provision of law, States participating in the program may permit acknowledgment of roadside maintenance through the use of live plant materials without being limited by any Federal, State, or other law, regulation, or manual that limits or regulates procurement actions, acknowledgment signs, advertising, landscaping, or other uses of, or actions relating to, highway rights-of-way or areas adjacent to highway rights-of-way.

(f) FUNDS EXCLUSIVELY FOR ROADSIDE MAINTENANCE.—Any funds paid to a State under the program shall be considered to be State funds (as defined in section 101(a) of title 23, United States Code), and shall be made available for expenditure under the direct control of the State transportation department (as defined in that section) exclusively for roadside maintenance.

(g) REPORT.—Before the expiration of the first 10-year period referred to in subsection (b), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the program.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, this bipartisan amendment is only a technical change to a pilot program that is already included in the underlying bill. I would like to thank the chairman and the ranking member for including the base language in the bill.

This legislative language in our proposed amendment is a means for State Departments of Transportation to increase their revenues without additional burden on the taxpayer. Everybody knows that every State is hurting for transportation dollars. This helps them.

By acknowledging contributions of third parties to a State DOT's roadside maintenance through a corporate logo made of live plant materials rather than conventional metallic material, State Departments of Transportation will have innovative new means for funding highway maintenance needs. This will free up funds for other highway projects.

I support this program because Caltrans, my State DOT, and six other State DOTs asked for the authority to operate this kind of innovative program. The pilot program does not cost the State or Federal Government a penny to operate. Estimates are that my State of California could conservatively save millions of dollars annually in roadside maintenance costs from this program. Other States would enjoy other similar tangible benefits.

The legislative language for the pilot program, as it appears in the underlying bill, does not specifically permit acknowledgment through live plant materials and places no limitations on what guidelines the U.S. Department of Transportation would develop for innovative approaches under the pilot program.

The legislative language in our proposed amendment paves the way for State DOTs to implement an acknowledgement program with live plant materials by specifying this particular approach in the legislative language and by providing some specificity on the guidelines that the U.S. Department of Transportation should develop and what matters are best left to the States to assure the success of this innovative new approach.

I urge all Members to support this amendment.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

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

Mr. Chairman, this amendment would allow commercialization within the Federal right-of-way, and that causes concern as to the potential for proliferation.

We have had many debates over the years that I have been on the committee over advertising proximate to interstates. We have come to a pretty good stasis on that issue. This amendment is not new. It is not widely supported.

We did not hear from California that they were in support. We were in touch with them numerous times. Perhaps they are, but we didn't hear that. The Outdoor Advertising Association of America does not support the amendment.

I would urge my colleagues to join me in opposing the amendment.

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

Mr. HUNTER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 3¼ minutes remaining.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. Mr. Chairman, I thank the gentleman from California for taking the initiative on offering this amendment, which simply modifies the pilot program already created in the manager's amendment.

My endorsement of this amendment stems from the fact that Florida's DOT currently has a cosponsorship program, and a multitude of other State DOTs have also offered their support. This program permits States to partner with private sector organizations, which will fund further roadside maintenance. The private sector, not the government, will be responsible for the fabrication, installation, and maintenance of the signs, resulting in zero expense to taxpayers.

This amendment enables State DOTs to implement an acknowledgment program with live plant materials. Furthermore, it provides specifics on the guidelines USDOT should develop and lets States decide which matters are of significance to them.

I respectfully urge my colleagues to support this amendment.

Mr. HUNTER. Mr. Chairman, this is one of those things that I kind of thought everybody would enjoy. It is environmentally friendly, it uses plants and flowers, and it doesn't cost anybody anything. I mean, this is one of those deals that I am surprised is opposed by any Member.

At this time, I yield 1 minute to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, my State of Florida could receive $35 million in revenue and $8.7 million in maintenance savings annually for the program.

At this time, revenue is flat-funded. This is a ''may.'' The States don't have to participate in it. It is a pilot program. It is flowers, and it is friendly. I support it, and I would urge my colleagues to vote for it.

Mr. HUNTER. Mr. Chairman, I reserve the balance of my time.

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

Mr. Chairman, the bill itself establishes this. The gentleman has proposed an up-to-20-year pilot program. That seems pretty permanent in terms of most people's life spans.

Mr. HUNTER. Will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from California.

Mr. HUNTER. It takes a long time for these flowers to grow.

Mr. DEFAZIO. Reclaiming my time, I guess we are putting in perennials, not annuals. Okay.

In any case, the bill itself does establish a pilot program that would establish that five States would be allowed not just to do logo flowers, but to do other innovative projects that could generate revenues for use in the maintenance of the rights-of-way, and this would be five States. There would be guidelines published by the Secretary. They would terminate after 6 years, and then we would see if there was wisdom in expanding it.

One problem that is raised is we have gone through, as I said, many controversies over billboards, particularly when they went to billboards that would change as you were driving.

There was heavy regulation of that because of the period of the change so as not to distract drivers and cause potential traffic accidents. I can imagine you are driving along and you are really wanting to read that logo as you are going by, and this could contribute to distracted driving. So we must oppose the amendment.

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

Mr. HUNTER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 1¼ minutes remaining.

Mr. HUNTER. Mr. Chairman, I am looking at some of the designs that have been already done. One is a Nike swoosh. You don't have to read a swoosh. You just know it is a swoosh because we all know what Nike swooshes look like.

You have the Pepsi logo. You don't have to read that. By going with the gentleman's argument, you couldn't have any billboards up anywhere. There are tons of billboards that you have to read.

These are just logos, and the corporations want to pay the State DOT to put these logos on the side of the road. This is free money for the States, free money for States' transportation.

I would urge all of my colleagues to support this amendment.

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

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

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

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

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

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

AMENDMENT NO. 8 OFFERED BY MR. DENHAM

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of Division A, insert the following:

SEC. ___. FEDERAL AUTHORITY.

(a) IN GENERAL.—Section 14501(c) of title 49, United States Code, is amended —

(1) in paragraph (1), by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (3) and (4)'';

(2) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6) respectively;

(3) by inserting after paragraph (1) the following:

''(2) ADDITIONAL LIMITATIONS.—

''(A) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law prohibiting employees whose hours of service are subject to regulation by the Secretary under section 31502 from working to the full extent permitted or at such times as permitted under such section, or imposing any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted under such section, including any related activities regulated under part 395 of title 49, Code of Federal Regulations.

''(B) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law that requires a motor carrier that compensates employees on a piece-rate basis to pay those employees separate or additional compensation, provided that the motor carrier pays the employee a total sum that when divided by the total number of hours worked during the corresponding work period is equal to or greater than the applicable hourly minimum wage of the State, political subdivision of the State, or political authority of 2 or more States.

''(C) Nothing in this paragraph shall be construed to limit the provisions of paragraph (1).''.

(4) in paragraph (3) (as redesignated) by striking ''Paragraph (1)—'' and inserting ''Paragraphs (1) and (2)—''; and

(5) in paragraph (4)(A) (as redesignated) by striking ''Paragraph (1)'' and inserting ''Paragraphs (1) and (2)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall have the force and effect as if enacted on the date of enactment of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103–305).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, in 1994, Congress enacted the Federal Aviation Administration Authorization Act, or F4A, to prevent States from undermining Federal deregulation of interstate commerce through a patchwork of State regulations. Since 1994, motor carriers have been operating under the Federal meal and rest break standards until a ruling by the California Ninth Circuit Court. This amendment would remedy that issue.

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

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

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

Unfortunately, the language of this amendment is so broad that it would basically preempt meal, rest break, and other laws that relate to truck drivers in 21 States. So I think this is an issue of states' rights.

It is an issue of an overly broad attempt to address what is a real contradiction that was created by the ninth circuit, that if you have a truck driver who is operating long haul through a number of States having to comply with new rest or meal break requirements on the Federal clock, which I can barely understand with the new requirements on rest, every time the driver crosses a State line, it is confusing and I think is a potential impediment to interstate commerce.

We offered an amendment that would have specifically addressed that concern. Unfortunately, we weren't able to reach agreement on that. Mr. LARSEN of Washington State submitted that amendment to the Committee on Rules. It was not allowed. Unfortunately, we only have this overly broad amendment.

This would not just affect interstate trucking; it would preempt California's wage, hour, and rest break rules for intrastate trucking in the State of

California and 20 other States. In fact, the case that was before the ninth circuit was intrastate truck drivers who were delivering appliances.

It also would go further. We spent a lot of time when I chaired the subcommittee on the issue of these, basically, pressed labor, who were theoretically purchasing their drayage trucks to haul cargo out of Long Beach and out of Los Angeles, who were really basically being enslaved. They were never going to pay them off. They were never going to own them. In fact, they were hot-seated. Other people were also buying the same truck at different hours of the day. Nobody ever got the trucks.

This would basically preempt any laws in California so that drivers could be paid on a piece rate no matter what the congestion conditions: Sorry. Gee, we paid you for that load. So it took you 8 hours. That is the way it is. So you only earned 49 cents an hour. Sorry. Because wage and hour laws don't apply to you.

□ 1545

It is just an overly broad attempt to address what has, at its core, a contradiction under the FAAA Act, the ruling about interstate commerce. So I would have to oppose the amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chair, I thank the gentleman from Oregon. He was here in 1994 when Speaker Foley pushed this issue through. He understands the issue. While his language did not fully address the issue, we are going to continue to work together to resolve this as this amendment moves forward.

I yield 1 minute to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chair, let me just say first to Mr. SHUSTER and Mr. DEFAZIO that I want to thank them for their leadership in getting this bill to the floor. I am just going with the new Speaker, who said, ''the will of the House.'' And I am sure the will of the House will pass this amendment. Why? Because one thing is that transportation is intermodal.

I was here in 1994, when we said we were not going to have a patchwork and we were not going to have each State with their own rules and regulations. I say let's move forward. In my opinion, we need to reinstate the intentions of the Congress in 1994.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

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

I would note that 90 percent of the trucking industry is represented—not necessarily in terms of volume, but in terms of value—by OOIDA, and they are opposed to this.

I yield 1 minute to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. I thank Mr. DEFAZIO for yielding.

Mr. Chair, I rise in opposition to this amendment, which would overturn a Federal court decision that determined California meal and rest break laws apply to truckers.

On July 9, 2014, the Ninth U.S. Circuit Court of Appeals, as was mentioned before, ruled that trucking operators in California must allow for 30-minute breaks after 5 hours of work and a 10-minute rest break after each 4 hours. This meal and rest break standard is very reasonable when you consider the truck drivers can be subject to 14 hours of on-duty time.

The amendment would not only preempt California's law with regard to trucking operations, but would preempt laws in 21 other States and territories that guarantee a meal break. I won't go into the States' names. The States must be allowed to set meal and rest break standards as they see fit for the health and safety of their workers. One size does not fit all.

Mr. Chairman, I ask my colleagues to oppose the amendment.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Chairman, this amendment is needed to keep interstate commerce moving and to correct a misguided rule issued by the Ninth Circuit Court of Appeals. Here, we are faced with an overactive judiciary legislating from the bench with very real and very adverse economic consequences as a result of this misinformed decision.

Mr. Chairman, Congress has taken deliberate action in the past to preempt States from getting in the way of a nationally uniform set of rules for motor carriers. This amendment makes clear the intent of Congress that States can't impose their own requirements on drivers whose working hours and breaks are governed under nationally uniform Federal regulations.

Mr. Chairman, under current Federal safety regulations, drivers who need a break are always entitled to take one. This amendment does not change that. Likewise, current Federal whistleblower laws protect drivers from carriers who stand in the way of that, and this amendment does not change that.

But as a result of the Ninth Circuit Court decision, motor carriers will now be forced to plan their routes and services around the obligations of individual State break requirements. This will deprive businesses and drivers of the flexibility currently afforded under Federal law for interstate commerce. It will reduce shipping capacity. It will increase shipping costs, and it causes confusion and cost.

If not corrected, who will pay the price for the decision of the unelected judges of the ninth circuit? In my district, it will be the small businesses and consumers who face higher prices, and it will prove more costly to transportation professionals whose livelihoods are directly dependent on an efficient and streamlined shipping and trucking industry.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. May I inquire how much time is remaining?

The Acting CHAIR. The gentleman from Oregon has 45 seconds remaining.

Mr. DEFAZIO. Mr. Chairman, I yield 45 seconds to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Chairman, I stand in strong opposition to this amendment.

My friends across the aisle regularly reject legislation because it encroaches on states' rights, yet their commitment to State sovereignty disappears when it comes to protecting workers.

This amendment does more than just clarify the Federal Aviation Administration Authorization Act of 1994. It changes and expands its application to preempt the will of States such as mine.

California's meal and rest break laws ensure a safe working environment for truck drivers traveling within the State, and the U.S. Court of Appeals specifically ruled these laws are not preempted by the Federal Aviation Administration Authorization Act.

This amendment overrules the court and State legislatures to weaken labor protections at the industry's request.

As a member of the Education and the Workforce Committee, and as a Californian, I stand in strong opposition to this amendment and urge my colleagues to vote against it.

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

Mr. DENHAM. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 2½ minutes remaining.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. ASHFORD).

Mr. ASHFORD. Mr. Chairman, I am proud today to stand with Representative DENHAM as a cosponsor of this amendment.

This amendment reinforces—make no mistake—a current law that has been on the books for over two decades. It promotes interstate commerce, ensures economic growth, and fortifies safety requirements.

This amendment will allow a vital industry in my district and a vital industry to our Nation, the trucking industry, to operate without a patchwork of State regulations.

In my home State of Nebraska, we have several of the Nation's largest motor carriers. These employers haul freight throughout the country and provide good-paying jobs. Unfortunately, these employers may now face litigation that could cost tens of millions of dollars and create regulatory uncertainty across this country.

Far-flung litigation shouldn't threaten the livelihood of hardworking Nebraskans. It is likely that companies like those in my district will simply refuse to do business in certain States. This result will destroy jobs, hinder competition, and hurt taxpayers.

I urge my colleagues to support this amendment.

Mr. DENHAM. Mr. Chairman, I yield 45 seconds to the gentleman from North Carolina (Mr. WALKER).

Mr. WALKER. Mr. Chairman, Congress has been clear that the patchwork of laws and rules dictating when drivers eat, sleep, and pull over is impractical. Fifty standards create an unreasonable burden on truck drivers and companies.

Furthermore, dismantling the Federal standards jeopardizes safety, increases costs, causes significant inefficiencies, reduces competition, inhibits innovation and technology, and curtails the expansion of markets.

I support the Denham amendment, and I encourage my colleagues to do the same.

Mr. DENHAM. Mr. Chairman, I yield the balance of my time to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Chairman, I rise in support of this amendment.

In my district, I have some of the largest trucking companies in the country. I recognize these are hardworking, dedicated people who play a vital role in the success of our economy. The growth of regulations under this administration has made their jobs much, much more difficult.

This amendment seeks to relieve truck drivers of a patchwork of regulations that make their jobs very difficult, with little positive effect.

Let me correct a common misunderstanding. This amendment does not prevent drivers from taking breaks when they think it is appropriate. In fact, it does the exact opposite. It allows the drivers to be flexible to take breaks when they think it is most appropriate and most safe and not to worry if they are violating the law.

Arbitrarily predetermined break times set by 50 different States simply will not work, and that is why I am such a strong supporter of this amendment.

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

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

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

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

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

AMENDMENT NO. 9 OFFERED BY MR. AGUILAR

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ___. PROGRAM TO ASSIST VETERANS TO ACQUIRE COMMERCIAL DRIVER'S LICENSES.

Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the Secretary of Defense, shall fully implement the recommendations contained in the report submitted under section 32308 of MAP–21 (49 U.S.C. 31301 note).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. AGUILAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. AGUILAR. Mr. Chairman, I think we can all agree that our veterans deserve the very best we can offer when they return home. While we can never repay them for their heroism and bravery, we can reaffirm our appreciation by doing everything in our power to help them transition back to civilian life. My amendment would help us do just that.

This amendment requires the Department of Transportation and the Department of Defense to work together to help veterans transition into civilian jobs driving commercial trucks. It would help them obtain commercial driver's licenses, as outlined in a report commissioned by the Federal Motor Carrier Safety Administration 2 years ago. This report was done at the direction of the last surface transportation bill, MAP–21, and my amendment requires DOT and DOD to work together to implement the report's recommendations.

Along with improving access to quality health care, one of the most important ways we need to help veterans is connecting them with job opportunities. Encouraging local businesses to hire more veterans is one step, but helping our veterans translate those skills they used in the military is a crucial part of putting our veterans back to work.

Many veterans who drove specialized vehicles in the military struggle to put these skills to work when they return home because of unnecessary and burdensome regulations. My amendment makes it easier for veterans to put their skills to work by requiring the Federal Motor Carrier Safety Administration's report recommendations be put into effect.

Please allow me to explain.

My amendment writes into law the recommendations that States can waive driving skills tests if a veteran certifies that he or she was employed in the military in a position operating a commercial motor vehicle, or CMV, during the last year. This was included in the underlying bill, for which I applaud the majority and minority for their efforts; however, my amendment goes a bit further.

Among other things, my amendment helps create an abbreviated commercial driver's license skills test for States to give military drivers who do not have the experience operating vehicles with air brakes or manual transmissions.

This amendment also, based on the recommendations of the report, directs the military services to work with the Federal Motor Carrier Safety Administration and the American Association of Motor Vehicle Administrators to clarify options available to servicemembers and veterans to obtain existing information on military licenses, military CMV driver history, and military CMV experience.

Mr. Chairman, we need to do better by our men and women in uniform who have risked and sacrificed so much to keep us safe and free. As we focus on growing our economy, we need to keep our veterans in mind as we seek to expand job opportunities. This amendment will help us do just that.

The study commissioned by the Federal Motor Carrier Safety Administration was 2 years ago. It is time to put that into action and to get our veterans back to work. This is about getting our veterans what they have earned and deserve, and I look forward to working with my colleagues on both sides of the aisle to see this through.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

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

There was no objection.

Mr. SHUSTER. I appreciate the gentleman from California bringing this amendment forward.

The STRR Act requires the Secretary to issue regulations by the end of this year to implement recommendations of a report to Congress on assisting veterans in acquiring a commercial driver's license. However, the bill does not address the nonregulatory recommendations. This amendment does that. It requires the Secretary to implement those recommendations within a year.

This is a good amendment that will assist our veterans in making the transition to civilian life. I urge all Members to support the amendment.

I yield back the balance of my time.

Mr. AGUILAR. I yield back the balance of my time.

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

The amendment was agreed to.

□ 1600

AMENDMENT NO. 10 OFFERED BY MS. HAHN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 114–326.

Ms. HAHN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ___. STUDY ON BURYING POWER LINES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct a study and report the findings of such study to the appropriate committees of Congress regarding the feasibility, costs, and

economic impact of burying power lines underground. Such study shall include the potential costs and benefits of burying power lines underground when building new roads.

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from California (Ms. HAHN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HAHN. Mr. Chairman, I rise to offer the Hahn-Cicilline amendment to the Surface Transportation Reauthorization and Reform Act of 2015. Our committee has been putting in many months, some would say even years, in writing this bill. So it is actually a great day to see this bill finally come on the floor.

In addition, I would like to thank Chairman SHUSTER, Ranking Member DEFAZIO, and the entire Transportation and Infrastructure Committee for our hard work in crafting this legislation.

If I might just take a moment at this point to give a farewell and a rest in peace to Howard Coble, who was a good member of our Transportation Committee, who served in the Coast Guard. In fact, we named our Coast Guard and Maritime Transportation Act the Howard Coble Coast Guard and Maritime Transportation Act of 2014. We will miss him. He was a good member of our committee.

Our amendment today looks to make our Nation's roadways safer and, also, more scenic by directing the Secretary of Transportation to study the benefits and costs of undergrounding power lines.

Forty percent of all power outages are due to fallen trees or weather events, and an additional 8 percent are caused by traffic accidents.

By placing power lines underground, roadways are safer from downed lines during storms, service to customers is more reliable, and our roadways will simply be more beautiful to drive on.

Every year over 1,000 fatalities occur as a result of collisions with utility poles. In fact, according to the Insurance Institute for Highway Safety, about 20 percent of all highway deaths are due to power line poles and traffic barriers.

This is a preventable tragedy, and this amendment asks the Secretary to evaluate if this is feasible and to share with Congress its findings.

We should take this highway authorization as an opportunity to make our highways safer and more scenic.

My home State of California has been a leader in undergrounding power lines. In 1967, California began encouraging and directing utility providers to allocate a portion of their budgets to replace overhead cables with underground cables. This has been a good start, but I think we could do more in this country.

It was President Johnson, urged on by Lady Bird, who signed the Highway Beautification Act in 1965 to limit unsightly roadside mess.

Upon the bill's passage, President Johnson said, ''Beauty belongs to all the people. And so long as I am President, what has been divinely given to nature will not be taken recklessly away by man.''

By conducting a nationwide study through the DOT, we can begin to see where these conversions make sense across this country.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. I, as always, appreciate the gentlewoman from California and her hard work. She is a valued member of the committee.

I don't believe this amendment has to do with transportation policy. I think it is a good thing when you bury power lines for a lot of reasons—appearance, weather, all those things—but I really don't believe this is a Federal issue, nor do I believe the U.S. Department of Transportation is the appropriate agency to determine the costs and benefits of burying power lines.

I really believe that should be up to the companies and their cost-benefit analysis to determine that and not to underwrite or subsidize their operation by doing this.

So, again, with great respect to the gentlewoman from California, I oppose this amendment.

I reserve the balance of my time.

Ms. HAHN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE) to speak in support of this important amendment.

Mr. CICILLINE. Mr. Chairman, I thank the gentlewoman for yielding and for her extraordinary leadership on this effort.

I rise in strong support of this amendment. This amendment would require the Secretary to conduct a study of the feasibility, costs, and economic impact of burying power lines underground.

According to Federal data, the U.S. electric grid loses power 285 percent more often than it did in 1984, when data collection efforts on blackouts began.

According to the Department of Energy, that costs American businesses as much as $150 billion per year, with weather-related disruptions costing the most per event.

Underground power lines make up just 18 percent of U.S. transmission lines, yet nearly all new residential and commercial developments opt for underground electric service.

During Hurricane Irene in 2011, more than 6.5 million people in the United States lost power, including more than 30 percent of the residents living in my home State of Rhode Island, as well as Connecticut and Maryland.

I urge my colleagues to support this simple, straightforward amendment so that we can begin to create a more reliable and resilient electric grid.

I want to acknowledge the work being advanced by Scenic America to help restore and modernize the Highway Beautification Act that Congresswoman HAHN just made reference to.

A group of us, including this extraordinary gentlewoman from California, have been in a working group trying to work on legislation to really restore and modernize the Highway Beautification Act, and Scenic America has really taken the lead in this work.

I think the words of Lady Bird Johnson that the gentlewoman just recited are incredibly important. This is an important first step to just get information to understand the economic impact of burying power lines, what a difference it will make not only in terms of the scenic beauty of our highways, but also to businesses, and to prevent the economic loss that happens both to individuals and businesses.

It is an excellent amendment. I thank the gentlewoman for her great leadership. I urge my colleagues to support the amendment.

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

Ms. HAHN. I thank the gentleman from Rhode Island (Mr. CICILLINE). This was our joint amendment.

Mr. Chair, as you said, Scenic America is working on different ways in this country to beautify our landscape. I believe that this transportation bill was the appropriate place to do this, as this is about highways and our roads in this country.

But, having the disapproval and opposition of my chairman—it wasn't that strong, but it was a disapproval—I will agree to withdraw this amendment, and we will work with Scenic America to find another way to bring the undergrounding of our utilities forward.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. CICILLINE. Will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from Rhode Island, although I oppose his amendment.

Mr. CICILLINE. I would just ask the gentleman if he would commit to working with Congresswoman HAHN and I and a group of others that are really interested in restoring and modernizing the Highway Beautification Act so that we might work collaboratively on restoring some of those important provisions.

Mr. SHUSTER. I appreciate the gentleman pushing this issue. Again, as I said, burying power lines I think is a positive thing. It does add to the beauty of the landscape. But I just don't believe that it is the Federal Government's role to underwrite, the taxpayers to underwrite, these utility companies.

So, again, I appreciate the withdrawal. I appreciate your pushing this issue. I continue to oppose the amendment.

I yield back the balance of my time.

Ms. HAHN. Mr. Chair, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 11 OFFERED BY MR. HECK OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 114–326.

Mr. HECK of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following new section:

SEC. 1431. STORMWATER REDUCTION ASSISTANCE PROGRAM.

Chapter 3 of title 23, United States Code, is amended by adding at the end the following:

"§ 330. Stormwater reduction assistance program

''(a) DEFINITIONS.—In this section, the term 'green stormwater infrastructure' refers to stormwater management techniques that address the quality or quantity of stormwater related to highway construction or due to highway runoff.

''(b) FEDERAL HIGHWAY RUNOFF MANAGEMENT PROGRAM.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary, in consultation with the heads of other relevant Federal agencies, shall develop and publish best practices and guidance for the installation, use and maintenance of green stormwater infrastructure, including the adoption of permeable, pervious, or porous paving materials or other practices and systems that are designed to minimize environmental impacts of stormwater runoff and flooding.

''(2) CONTENTS.—The guidance shall include best practices, guidelines, and technical assistance for the installation and use of green stormwater technologies, including—

''(A) identification of existing and emerging green stormwater infrastructure technologies;

''(B) cost-benefit information relating to green stormwater infrastructure approaches;

''(C) performance analyses of green stormwater infrastructure technologies in typical use scenarios; and

''(D) guidance and best practices on the design, implementation, use, and maintenance of green stormwater infrastructure features.

''(3) UPDATES.—Not later than 5 years after the date of publication of the guidance under this paragraph, and not less frequently than once every 5 years thereafter, the Secretary, in consultation with the heads of other relevant Federal agencies, shall update the guidance, as applicable.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. HECK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HECK of Washington. Mr. Chairman, small towns and cities alike have reasons to manage their storm water runoff. Our streams, rivers, lakes, and estuaries are all at risk of dangerous pollution following a downpour.

Trust me, those of us from western Washington know this full well, and places like Puyallup, Washington, are actually finding ways to adjust their neighborhoods to protect surrounding waterways from pollution.

Since 2009, Puyallup has helped residents install rain gardens to absorb the rainfall. These rain gardens are linked by pipes that collect the excess water from the roofs and direct it to the gardens rather than to the streets and then into the sewer.

This is just one innovation of several great ideas that are innovated throughout this country in places like Puyallup.

My amendment today builds on the success on the ground by simply asking the Department of Transportation to develop best practices for storm water management, to collect the information, and a guide on how to implement, install, and maintain green storm water infrastructure, and help any State that requests help with the development of such a plan—a voluntary program, not a requirement, no new money.

Many of these innovative infrastructure practices—permeable pavement, natural drainage swales, green roofs—are economical and increase property values and invest in the people that make their careers designing and building these inventions.

These new tools are both flexible and yield a strong return on investment. The people of Puyallup, Washington, get that.

They know and I know and you know that we can't let water carry oil from our cars, pesticide from our lawns, and other pollutants into Clarks Creek or the Puyallup River or the Puget Sound.

We can't do that and keep a strong economy or a desirable location for business and living. We can't let runoff kill, as an example, our cherished Coho salmon.

So I ask you to support the promise of these innovative economical ideas to manage our storm water and to get DOT involved.

This is the best of federalism. No new money, no mandatory program, just a way to get the information out, which the Federal U.S. DOT is in the perfect position to collect and make available.

Mr. Chair, I yield to the gentleman from the Sixth Congressional District of Washington (Mr. KILMER).

Mr. KILMER. I thank the gentleman from Washington's Tenth District.

In my neck of the woods, we take pride in the Puget Sound and we understand that it is in danger. That is why I join my colleague today to talk about the treasures the Sound holds: the water, the salmon, the oysters, the orcas, an entire ecosystem that is currently under attack. This is a threat that happens every time a thunderstorm or a rain strikes cities like Tacoma.

When heavy rains hit, that water will wash toxic mixtures of oil and heavy metals off of our city streets and highways and into waterways like Puget Sound.

The Seattle Times recently wrote about a new study that found some runoff was so toxic that it killed Coho salmon in 2½ hours.

It is something we don't often think about, but this storm water mix creates a pollution that lingers. Folks in the region I represent are doing groundbreaking work putting in green storm water infrastructure to capture this runoff before it hits our waters.

These are projects like rain gardens, green roofs, and natural drainage swales. Instead of letting storm water slide along and collect more dirt and grime and end up in our bodies of water, it captures it.

Our amendment would encourage the growth of these projects. It would give our local governments and places like Tacoma and Puyallup and elsewhere a clear playbook on the most effective ways to implement green storm water infrastructure.

It demonstrates that the Federal Government and local stakeholders can be partners in cleaning up our waters. This matters. It matters to Tacoma and other cities. It matters to bodies of water like the Puget Sound.

Storm water runoff may be hard to spot, but it is taking a toll on Puget Sound and other bodies of water. That is why this amendment is important. That is why I encourage my colleagues to vote for this amendment.

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

The Acting CHAIR (Mr. FORTENBERRY). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, I certainly understand what the gentleman from Washington is trying to accomplish here.

The reason I oppose it is not because of what he is attempting to do, but the Federal Highway Administration currently has strongly supported and encouraged the use and implementation of green infrastructure in the Federal aid transportation projects to mitigate highway runoff impacts.

FHWA recently published a new storm water runoff model, and it is engaged in various storm water research, including storm water performance measures.

The Department of Transportation also is part of a Federal agency green infrastructure collaborative. This initiative includes working with States to implement integrated ecosystems, including landscape-scale mitigation. So I don't believe we need to legislate further on this.

I also would make note that just last night, we agreed to the amendment of Ms. EDWARDS of Maryland on storm water mitigation to put the States in the metropolitan planning process.

□ 1615

Again, I understand what the gentleman is trying to accomplish. I think it is already in the legislation. I think it is already in current law, so I would oppose the amendment

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

Mr. HECK of Washington. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Washington has 1 minute remaining.

Mr. HECK of Washington. With all due respect to the chair of the committee, that isn't included in the current legislation and is clearly not the intent of the amendment. The intent of the amendment is to ask them to accumulate best practices. Yes, they have programs where they promote and they advocate. This is to ask them to go out and find these programs like we talked about in Puyallup which are unusual and innovative and which aren't yet in the manual so that they can share. This is information sharing on a scale that they don't currently do.

In fact, Mr. Chairman, it would help with a serious problem; but given the Chair's opposition to this, I will only ask that he consider taking a deeper dive into what we are trying to accomplish here because it solves a problem.

Mr. SHUSTER. Mr. Chairman, I will continue to work with the gentleman. The gentleman is correct. It is not in current law, but the Federal Highway Administration is working on these things collaboratively with the States, and I think that we ought to let them continue at that pace.

Mr. HECK of Washington. Mr. Chair, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 12 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part A of House Report 114–326.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ___. PREVAILING RATE OF WAGE REQUIREMENTS.

None of the funds made available by this Act, including the amendments made by this Act, may be used to implement, administer, or enforce the prevailing rate of wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, this is an amendment that I have offered in the past, and it will be known as the amendment that eliminates the effect of the Davis-Bacon Act. The substance of it is this:

None of the funds made available by this act may be used to implement, administer, or enforce the prevailing rate of wage, which is the effect of this amendment, and it is effectively the Davis-Bacon Act. It seems to get the attention of some of my colleagues.

I would say, Mr. Chairman, that I have worked with this issue as long as anyone in the United States Congress. I have worked back for years, as I began about 5 years in the construction site as an employee. Multiple times I received Davis-Bacon wage scales; sometimes I did not.

As I became a contractor in 1975, we began hiring employees. Sometimes we paid Davis-Bacon wage scales, and sometimes we did not; but I was always aggravated by the Federal Government's deciding that they knew what we had to pay our help and what they were worth.

I recall many debates on the floor of the House of Representatives when people from the other side of the aisle would say that anytime there is a relationship between two or more people that are consenting adults, the Federal Government has no business sticking themselves in the middle of that relationship. Yet the Davis-Bacon Act tells me what my son, who is now sitting in the gallery, has to pay me if I am going to climb in the seat of one of his machines, say an excavator, a scraper, a bulldozer, or a motor grader.

So we are 40 years in the construction business. I have watched the inefficiencies that are created by the Davis-Bacon Act. You might need somebody on a shovel, and he decides it pays more to get on a motor grade; or you might need somebody on a scraper, and he decides it pays more to get on a bulldozer. This wrecks the efficiency as well as puts an extra high price on the cost of the products that are being produced under the contracting business in the United States.

So I would say this, Mr. Chairman, that over our years in the construction business, the extra costs for Davis-Bacon ranges somewhere between 8 and 38 percent additional, depending on the type of project and the location where you are. The average is someplace between 20 and 22 percent.

So to boil this all down, if we want to be responsible to the taxpayer, then we want to get the best dollar out of that.

Somebody is going to say that it is second-rate work. That would be a direct insult to me. It would be a direct insult to my son, who owns King Construction today and who is listening to this debate. Our quality work stands with anyone's, and it is superior to many; and sometimes it is Davis-Bacon wage scale, and sometimes it is not. But we know what they are worth. The government doesn't know what they are worth. We want to hire the best help, keep the best help, and keep the best help on. That is just here in this microcosm of King Construction, but it is extrapolated across the Nation.

So do we want to build 4 miles of road under government-mandated wages or do we want to build 5? I want to build the 5 miles. I want to build five bridges, not four. I want the best dollar for the taxpayers, and I want the highest efficiency that we can get. That is the substance of this amendment, and I urge its adoption.

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

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, there was a time in America in 1931 when people were desperate, and unscrupulous contractors would move people from place to place, put them in work camps, and undercut the wages in communities. The wisdom of the Congress back then was this is not proper. Communities have different wage rates.

This is not a diktat from Washington, D.C., about the wages. It says you will pay the wages that prevail in your community. For instance, in the gentleman's community, the median wage is $49,427. But under Davis-Bacon, an electrician—a pretty darned skilled person in my opinion—would only get $36,500 if they get the minimum Davis-Bacon wage. So I don't see that that is outrageous.

What we are trying to prevent here is the abuse of construction workers and people, moving them from place to place, bringing them from a very low-cost State and saying: Hey, when you go home, you are going to be doing good. We will put you in a little work camp and a tent. You come here to this State; you undercut all the local workers; you do the job; and you go home. We don't want to go back to those days. Those were not halcyon days in America.

So this is really a way to provide people with a living wage, certainly not an extravagant wage. I don't think $36,500 for an electrician in Iowa is an extravagant wage, and I don't see why we should pull that floor out from underneath them and say: Oh, hey, well, that is a little too high. We want to be able to pay our electricians less than that.

This is about trying to create a race to the bottom like we have in too many other things in this country, our trade agreements and a whole host of other things that are going on that are creating income inequality. This will exacerbate income inequality. This amendment should be defeated.

Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), the ranking member of the Education and Workforce Committee.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

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

This amendment would prohibit the application and payment of prevailing wages provided under the Davis-Bacon Act for funds expended on construction projects in this bill.

Davis-Bacon sets wage and benefit standards for federally assisted construction projects to ensure that contractors compete on the quality of their work, not by undercutting wage levels in local communities. Negating the application of wage laws, as the King amendment proposes to do, often leads to shoddy construction and substantial cost overruns.

This is not said to insult the sponsor of the amendment. The fact is that the census construction data shows that the value added per worker in States with prevailing wage laws is 13 to 15 percent higher than in States without prevailing wage laws.

Additionally, studies conducted by the University of Utah have found that repealing the prevailing wage has led to the reduction or elimination of apprenticeship programs. Mr. Chairman, this is National Apprenticeship Week. We should be promoting the participation in apprenticeship programs, not taking up measures that would negatively impact this critical job training tool.

Under prevailing wage laws, contractors are forced to compete on the basis of who can best train, equip, and manage construction crews, not on the basis of who can assemble the cheapest, most exploitable workforce either locally or by importing labor from somewhere else.

Historically, Mr. Chairman, there has been bipartisan opposition to repealing or suspending the Davis-Bacon Act in infrastructure programs. Let's continue that bipartisan tradition on prevailing wages by voting ''no'' on this amendment.

Mr. KING of Iowa. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Iowa has 2 minutes remaining.

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

Mr. Chairman, I thought I had actually made the statement, I thought my good friend from Virginia would pick this up, that it isn't about shoddy construction work that can be laid at the feet of merit shop operations. I am standing here on my feet in my boots having done all kinds of work for lots of years, and so has my family, going back about five generations. Our work has been competing with and superior to that of many, and there is nothing in the record of our company that anyone could point to other than quality and efficiency.

In fact, the reason that he needs an apprentice program is because you can't afford to hire somebody and train them unless the government is willing to let you pay them less than the prevailing wage. That is what the apprentice program is. I have been one, and I have been bounced out of there because of the Davis-Bacon Act.

Furthermore, Mr. Chairman, when I listen to the gentleman about how we are going to prevent people from moving people in from a low-wage area to a high-wage area to take a higher wage or perhaps undercut the existing wage that is there, that is what started the Davis-Bacon Act. It wasn't to keep the low wages out. It was to keep African Americans out of New York City during the Depression when there was a large Federal building contract, and a contractor successfully bid that job. He was from out of town and he brought his crews in from Alabama, African Americans from Alabama, to do the work cheaper than the union scale would do in New York. That is what brought about this Davis-Bacon Act.

When the Federal Government decides they are going to tell people what they have to pay their employees, they are the last people that actually know what that is worth. When you have to compete in this real world where equipment is expensive and time is priceless and we have strict specifications, strong engineers, bonds—bid bonds and performance bonds—and insurance contracts, we have to be efficient, and we have to be professional. We have to be able to not only do this as well as anyone, but more efficiently than anyone. That is what the merit shop does.

Mr. Chairman, nobody is dragging their feet in our operation. They want the company to be successful. When I send people out on a Davis-Bacon job, they are out there sometimes rolling clods because they know that it pays them to roll clods rather than get the job done. That is our expression, Mr. Chairman.

Mr. Chairman, I urge the adoption of this amendment.

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

Mr. DEFAZIO. Mr. Chairman, may I inquire if I have 1 minute remaining?

The Acting CHAIR. The gentleman from Oregon has 1½ minutes remaining.

Mr. DEFAZIO. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. I thank the ranking member.

Mr. Chairman, this is actually a pretty simple question, and I know my friend from Iowa tends to see this question through the lens of his own personal experience and his own company, but, frankly, this is a bigger question than that.

I think it is right that the Federal Government has a stake in how it spends its money and that the Federal Government ought to be able to say that when we fund construction projects, we don't want contractors to simply pick the cheapest labor they can. Sure, we may want to build more roads, but we want to make sure those roads last. It is not just a matter of how many miles you build, but whether or not they are going to be done in a way that makes sure that the quality of the work matches the investment that this country is making.

So, Mr. Chairman, I understand the gentleman's point. I can just tell you about my own experience having done development and construction in one of the toughest markets in America, big construction and small jobs. I always knew when we paid a prevailing wage that the work was going to be done on time and it was going to be done with quality.

When it comes to the Federal dollar, doesn't it seem to me and all of us here that cheap is not always better, and that we owe it to the American people to deliver to them a product that is consistent with the quality that they would like to see in their own home? When you go to buy material or when you go to hire a contractor yourself for your own home, you don't say to yourself, ''Who is the lowest cost provider I can get?'' You want to make sure the job is done right.

Secondly, the American people need a raise. We don't need the Federal Government to participate in this race to the bottom in undercutting local economies by paying people less than they are worth. We have lost enough in this country. It is time to end this.

Mr. DEFAZIO. I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in opposition to the amendment.

For over 75 years, the Davis-Bacon Act has been protecting middle class families and taxpayers.

As a son of a union worker in Snohomish County, Washington, I know how important prevailing wages can be for middle class families.

A prevailing wage is not necessarily a union wage—it's set by the Department of Labor after surveying local labor.

But it's a living wage, one that has helped build middle class economies in my district in places like Everett and Lynnwood.

Davis-Bacon standards also ensure that taxpayers are getting their money's worth when it comes to construction projects.

By paying a decent wage, Davis-Bacon projects are built by more experienced and more productive construction workers.

The result is better built, longer lasting projects that save money over their lifetime which is especially important because poor and crumbling infrastructure hurts everyone.

We shouldn't cut corners when it comes to our transportation infrastructure, and we shouldn't cut corners when it comes to hiring construction workers.

The amendment before us would do just that.

Workers deserve to be paid fair wages.

I ask my colleagues to support middle class families by voting against this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

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

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

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

□ 1630

AMENDMENT NO. 13 OFFERED BY MR. LARSEN OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part A of House Report 114–326.

Mr. LARSEN of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title II the following:

SEC. ___. STREAMLINED APPLICATION PROCESS.

Section 603 of title 23, United States Code, is amended by adding at the end the following:

''(f) STREAMLINED APPLICATION PROCESS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall make available an expedited application process or processes available at the request of entities seeking secured loans under this chapter that use a set or sets of conventional terms established pursuant to this section.

''(2) TERMS.—In establishing the streamlined application process required by this subsection, the Secretary shall include terms commonly included in prior credit agreements that are desirable to borrowers and allow for an expedited application period, including—

''(A) the secured loan is in an amount of not greater than $100,000,000;

''(B) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge, tax increment financing, or a system-backed pledge of project revenues; and

''(C) repayment of the loan commence not later than 2 years after disbursement.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. LARSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

MODIFICATION TO AMENDMENT NO. 13 OFFERED BY MR. LARSEN OF WASHINGTON

Mr. LARSEN of Washington. Mr. Chairman, I ask unanimous consent that amendment No. 13 printed in part A of House Report 114–326 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 13 offered by Mr. LARSEN of Washington:

In lieu of amendment #13 printed in Part A of House Report 114–326.

Add at the end of title II the following:

SEC. ___. STREAMLINED APPLICATION PROCESS.

Section 603 of title 23, United States Code, is amended by adding at the end the following:

''(f) STREAMLINED APPLICATION PROCESS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall make available an expedited application process or processes available at the request of entities seeking secured loans under this chapter that use a set or sets of conventional terms established pursuant to this section.

''(2) TERMS.—In establishing the streamlined application process required by this subsection, the Secretary may include terms commonly included in prior credit agreements and allow for an expedited application period, including—

''(A) the secured loan is in an amount of not greater than $100,000,000;

''(B) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge, tax increment financing, or a system-backed pledge of project revenues; and

''(C) repayment of the loan commence not later than 5 years after disbursement.''.

Mr. LARSEN of Washington (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the modification.

The Acting CHAIR. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from Washington.

Mr. LARSEN of Washington. Mr. Chairman, I have heard from many midsize cities in my district that they often struggle to compete with larger cities for Federal transportation funding.

While the needs of midsize cities are just as significant as those of larger cities, the administrative burden of accessing TIGER grants or TIFIA loans is often too great. My amendment addresses that difficulty by improving access to TIFIA loans.

While TIFIA is a great funding source for bigger projects, sponsors of smaller projects can be discouraged from using it because the application process is complicated and requires more resources than these cities can muster.

My amendment would require the Secretary to provide an expedited process for TIFIA applications that are less than $100 million and backed by real revenue. These are smaller, lower risk projects that aren't happening because States and localities might be scared off by the long and involved TIFIA loan application process.

By creating an expedited process for these smaller, lower risk projects, we can open access to Federal resources for smaller cities and counties that we represent.

This is a streamlined amendment that puts more power in the hands of State and local governments, something I know that my colleagues can support.

I appreciate that Chairman SHUSTER and Ranking Member DEFAZIO have made other improvements to the TIFIA process in the underlying bill, and my amendment complements these improvements in a straightforward way. I would appreciate the support of the leadership on the committee for this amendment.

I ask support of my amendment.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, even though I do not oppose the amendment.

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

There was no objection.

Mr. SHUSTER. Mr. Chairman, I support the gentleman's commonsense amendment. As usual, he brings common sense to the table.

This amendment does and will accelerate the approval of TIFIA credit assistance for certain projects.

I encourage all Members to support the amendment.

I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I ask support for this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. LARSEN), as modified.

The amendment, as modified, was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. CULBERSON

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 249, after line 14, insert the following:

(2) in subsection (c)(1)—

(A) in subparagraph (B)(ii) by striking ''and'' at the end;

(B) in subparagraph (B)(iii) by striking the period and inserting ''; and'' ; and

(D) by adding at the end of subparagraph (B) the following:

''(iv) the applicant shall have a current operating ratio, as such ratio is set forth by the Federal Transit Administration using the ratio of current assets to current liabilities, of 1:1.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. CULBERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, one of our principal responsibilities here is to be good stewards of our constituents' hard-earned tax dollars. It is a responsibility that I know each one of us takes very seriously.

My amendment today will ensure that we apply the same commonsense standards to the investment of our constituents' hard-earned tax dollars that we do in the investment of our own dollars.

You in your own life would not loan money or invest money in a business that was so poorly managed that it took on more debt than they could manage. You wouldn't put your money in a company that had taken on so much debt that their debt exceeded their liabilities. And, certainly, if you were applying for a bank loan, a bank would not loan your business money if your business had more debt than it had assets.

That is all this amendment says is that the Federal Government will not

invest our constituents' hard-earned tax dollars in a transit agency that has more debt than they do liabilities.

My amendment ensures that the minimum asset-to-debt ratio that a transit entity can have is 1:1. It is common sense. This is sort of a working guideline that I know the Transportation Appropriations Subcommittee, on which I work, and the Federal Transit Administration has for years wanted to be sure that the agencies out there—transit entities across America—have no more debt than they do assets.

So the amendment says the Federal Government will not issue a Federal transit grant to an agency that has a ratio of current assets to debt that exceeds 1:1, very straightforward, very simple.

Let's protect our constituents' hard-earned tax dollars in the same way we would protect our own. In fact, it is actually a much higher obligation that we have to be good stewards of the Treasury, as responsible representatives.

I urge adoption of this amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

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

This is an unusual amendment, to say the least. There is no measure of assets done regularly for our transit systems in America. In fact, the only measurement that is done is that we have an $84 billion—B, billion—backlog to bring our existing transit systems up to a state of good repair. That means, basically, I am sure everybody would fail this test.

So if you want to do away with transit in America and get them out of the trust fund—something that Ronald Reagan made a high priority, and he put transit into the trust fund. He was the first Republican to support that, and they have been in ever since.

He said: We cannot ignore our urban centers. They are the engines of economic growth in this country, and we can't ignore them. We need to be able to move people efficiently in those urban areas.

So, since then, we have had a modest proportion of the trust fund—about 20 percent, generally—going into transit.

That is not adequate, as it is not adequate for bridges; 140,000 need replacement or repair. It is not adequate for highways; 40 percent of the system is failing and it needs total rebuilding.

But an $84 billion backlog in transit—they are killing people right here in the Nation's Capital because of the state of disrepair. It is an embarrassment.

There is no transit district in the United States of America who makes money. So what is this about? I don't get it. We are not lending money for them to make a profit and pay off loans. They all receive Federal support, and they need more Federal support.

In fact, in my travels, I have only been one place where they claim the transit district made money, which is Hong Kong. I urge you to go ride there at rush hour and see if you enjoy that experience. It is not very good here either.

But, in any case, no one else claims to make money. And I don't know if they really do. That is a Communist-dominated state. So it is probably not true.

I don't understand the amendment, to tell the truth. I would urge my colleagues to oppose it.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, my colleague from Oregon is confusing the issue here. The amendment is very straightforward.

Let me read from the amendment itself. The applicant transit agency has to have a current operating ratio of current assets to current liabilities of 1:1. They have to have the same current level of debt as they do assets in order to be eligible to apply for a Federal transit grant.

This isn't about making money. This is about making sure the taxpayers are not going to give another brick to a transit agency that has already got too much debt and is overloaded and is in a position where they may not be able to take full advantage of the grant. Taxpayers, our constituents, should not have to put their hard-earned tax dollars into a transit agency that is carrying more debt than they have assets. This is very straightforward.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield to the gentleman from Texas for him to name a transit agency that has gone bankrupt recently.

Mr. CULBERSON. In fact, I just spoke to the chairman of the Houston Metropolitan Transit Authority yesterday, and he tells me that their asset-to-debt ratio—they have got assets.

Mr. DEFAZIO. Reclaiming my time, I don't know what and who is running that thing.

Mr. CULBERSON: They are going to go bankrupt.

Mr. DEFAZIO. Sir, it is my time. They have not gone bankrupt. They are still operating.

The Federal Government has not had, that I am aware of, any major TIFIA loans or anything go into default.

This is a bizarre amendment in search of a problem that doesn't exist. We have no transit agencies that are making money. I don't anticipate we ever will have a transit agency that makes money. No one in the world operates transit agencies that make money.

It is a public service to mitigate congestion and provide for our major urban areas to move people more efficiently with a partnership between the Federal Government and local authorities.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, this is not about making money. The Houston Metropolitan Transit Authority chairman yesterday told me that their asset-to-debt ratio is about 2:3:1. So they have got 2 to 3 times more assets than they do debt.

That is what this amendment says, that we will, as good stewards of our taxpayers' hard-earned dollars, only send Federal transportation grants to transit agencies like Houston Metro that have done a good job managing their responsibilities and their assets are at least on par with their debt. That is all it says.

I reserve the balance of my time.

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

Mr. CULBERSON. Mr. Chairman, my colleague from Oregon is confusing the issue. This isn't about making money. This isn't about repaying the money.

This is about making sure that our constituents' hard-earned tax dollars are going to be wisely and carefully and prudently sent only to those transit agencies that have proven they can do a good job, that they don't have more debt currently than they have current assets.

My amendment, quoting from the amendment, is very simple:

> Applicant shall have a current operating ratio of current assets to current liabilities of 1:1.

That is at a minimum. Houston Metro would qualify for this. There are transit agencies all over America that would qualify for this.

Let's make sure that the transit entity, before they ask for our constituents' hard-earned tax dollars, have demonstrated that they are competent and capable of managing the money that they already have on hand and they don't have more debt than they can carry.

I urge passage of the amendment.

I yield back the balance of my time.

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

Actually, the amendment is to take money from New York City, Washington, D.C., probably Baltimore, Boston—I don't know—anyone who has a legacy transportation system that actually, until Ronald Reagan was President, pretty much was built without Federal dollars and run without Federal support and they have huge backlogs in terms of bringing them up to a state of good repair, 120-, 130-year-old tunnels.

This would just basically say: Let's put the money in the places which have the most modern transportation systems, built most recently, and probably built since Federal support was put in place by Ronald Reagan and stick it to the ones who did it on their own 130, 140 years ago and have been struggling to keep up and only had a partnership with the Federal Government since Ronald Reagan was President of the United States.

This does not go to the efficiency of an operation anytime anybody applies for a TIFIA loan or anything else. They

are evaluated in terms of how they are going to be able to repay those loans at the fare box, out of the fare box, out of operating costs, not what their assets to liabilities are.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CULBERSON).

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

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

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

□ 1645

The Acting CHAIR. The Chair understands that amendment No. 15 will not be offered.

AMENDMENT NO. 16 OFFERED BY MS. MENG

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part A of House Report 114–326.

Ms. MENG. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I (page 233, after line 8), insert the following:

SEC. 1431. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from New York (Ms. MENG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. MENG. Mr. Chair, this bipartisan amendment is simple. It is identical to language that appeared in the Senate version of the transportation bill that required improved data collection on the types of child restraint systems in use whenever a child is present during a car crash.

I am honored to have Representative LOVE as a cosponsor of this amendment, and I thank her for her support.

Mr. Chair, I know that we have 81 amendments to work through today and a long evening ahead of us; so, in the interest of time, I will keep my remarks brief.

The amendment I am offering merely requires revisions to the crash investigation data collection system of the National Highway Traffic Safety Administration in an effort to save children's lives. The more we know about the type of child restraint system used, how it was used, and the outcome of that use, the more we will be able to avert future tragedies.

After 3 years of collection of the data required by this amendment, the Secretary will be required to submit a report to Congress on the performance of various child restraint systems. It is my hope that we will join together at that time to craft new legislation that addresses what we learn.

Again, this is a bipartisan amendment, Mr. Chair. I believe it is a good amendment, and I think we have an opportunity to save children's lives.

I urge support for this amendment.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

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

There was no objection.

Mr. SHUSTER. Mr. Chairman, this amendment is not in our jurisdiction. It is in the Energy and Commerce Committee's jurisdiction. I understand the Energy and Commerce Committee supports the amendment, so we support the amendment also.

I yield back the balance of my time.

Ms. MENG. Mr. Chair, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentlewoman for yielding.

Mr. Chairman, I appreciate the fact that the chairman does not oppose and that the committee of jurisdiction does not oppose.

It is very timely. We just had a study about child safety seats which raises questions about rear-facing seats, and I think this comprehensive data would be very, very important as we move forward, potentially changing the guidelines on how we restrain children in vehicles to better protect them.

I congratulate the gentlewoman on bringing this amendment forward, and I hope that it is accepted.

Ms. MENG. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. MENG).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MR. RUSSELL

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III of division A, insert the following:

SEC. ____. STREETCAR FUNDING PROHIBITION.

Notwithstanding any other provision of law, Federal financial assistance may not be provided for any project or activity to establish, maintain, operate, or otherwise support a streetcar service. This section does not apply to a contract entered into before the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Oklahoma (Mr. RUSSELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. RUSSELL. Mr. Chairman, streetcars, also known as trollies, are mass transit vehicles that operate on rail lines embedded in normal roadways, often drawing electrical power from overhead structures.

From 2009 to 2014, the Department of Transportation awarded $432 million for streetcar projects in 14 cities throughout the country.

Streetcars are highly impractical from a public transit standpoint. Like a bus, but unlike a train, a streetcar's speed is constrained by the speed of traffic around them. Unlike a bus, however, they are bound by their tracks. If anything blocks the tracks, such as an accident or a construction project, the entire line shuts down, making it an inefficient form of transportation.

Streetcars are costly to build and operate. They require extensive infrastructure, including tracks and overhead power, that is not required for buses. Per passenger, per mile, they are also significantly and consistently more costly to operate than buses. According to a 2013 Journal of Public Transportation study, they fail or are at the bottom of all efficient forms of transportation.

The Congressional Research Service can find no clear evidence that streetcars increase transit ridership. Streetcar corridors that saw economic growth often benefited from other substantial subsidies. It is unclear if streetcars contributed to this growth.

The main argument for this amendment, which would prohibit future funding, is that it would establish Federal prohibitions on any financial assistance to establish, maintain, operate, or otherwise support a streetcar service unless there is a current contract in place that would be entered

into before the date of the enactment of the act.

The main argument for streetcars is often their psychological appeal. While this is appreciated, it is also very subjective, and it depends on the sentiments of tourists or local communities. They are more comparable to water taxis or Ferris wheels than to buses and light rail. The Department of Transportation is not in a good position to judge how tourists and locals will feel about a streetcar project. The agency, therefore, lacks the insight to predict the success of a project.

Most streetcar funding has come from the Transportation Investment Generating Economic Recovery grant program, or TIGER program. TIGER is an extremely competitive program with 20 times more applicants than there is money available. Recent rule changes are expected to make it easier for streetcars to receive funding from the Capital Investment Grant Program, also known as the New Starts and Small Starts program.

The President's administration has requested $3.2 billion for this program for FY 2016, including $75 million for streetcar projects, and at least six more are under development.

Any further grant awards for streetcar projects will divert scarce Federal funding from other high-priority transportation projects. While we appreciate all forms of transportation, our infrastructure, our national defense, and the vitality of our commerce on our roads beg for more efficient means of transportation for our dollars, which are limited.

Bus Rapid Transit projects, or BRT projects, for example, attract riders with higher quality stations and buses, traffic lanes that are fully or partially dedicated to buses, and more reliable, frequent service. Unlike for streetcars, there is objective evidence that the BRT tends to increase transit ridership and decrease trip time, according to the Government Accountability Office.

Streetcar projects are expensive, uncertain gambles that depend on subjective local and tourist sentiments more than on objective facts. It is for that reason—as we face a $19 trillion deficit and as we face foreign policy challenges abroad that require contingency dollars and as we look at husbanding the strength for our transportation—that my amendment would make sure that these resources are used in their proper place.

Local communities should, therefore, risk their own funds, like in my home State of Oklahoma. Oklahoma City recently passed a $129 million downtown streetcar project, which its own citizens approved, without using Federal funds. While municipalities may desire streetcars, they should not do it with other Americans' money.

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

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

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

This amendment would dictate to communities across America what form of transit they could put into their urban areas to solve problems of congestion and the efficient movement of people from place to place.

The gentleman mentioned tourist destinations. Yes, some may relate to tourist destinations; others may relate to medical facilities, as in Portland, Oregon, where the streetcar terminates at the Oregon Health & Science University. It also then utilizes a tram, which is at both the bottom and the top of the hill. It is used by many patients and others who have to get there. So these are not just toy things or things that are used for tourists. They are used to solve congestion problems in major urban areas. They are also incredible tools for economic development.

As for the fixed streetcar line in Portland, they revitalized a whole section of the city, which generated $3.5 billion in private economic development because the line was there. They didn't get any Federal money, but they built their projects adjacent to that line, which also provided a built-in ridership. Many people who reside in those pretty high-end apartments actually don't own cars, and they utilize the streetcar.

Salt Lake has already attracted $400 million in investment. Atlanta, Georgia, has a very successful program. Tucson, Arizona, has seen an incredible initial ridership, far exceeding projections. Cities across America are finding great success with streetcars; so to deny them this tool on some sort of arbitrary basis, I think, is unwarranted.

I reserve the balance of my time.

Mr. RUSSELL. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Oklahoma has 30 seconds remaining.

Mr. RUSSELL. Mr. Chairman, no research supports clear economic growth, according to the Congressional Research Service. While there may be other factors—usually with heavy government subsidies—that also contribute to this growth, it does not have any delineation toward streetcars.

This amendment does not dictate but protects scarce resources. In a nation that has an incredible deficit problem, we have to get to the point at which we can have priorities. This focuses on priorities.

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

Mr. DEFAZIO. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I could not disagree more with my friend from Oklahoma City.

First of all, the streetcar is a highly developed mechanism that 30 communities across the country are involved with right now, and they all invest their own money, including Oklahoma City. I find it ironic that somehow there is this notion that people are picking this out of the air as a toy or arts and crafts. That is not the case.

Look, I have been working on this for over 30 years, since I initiated a project for Portland's streetcar. I would be happy to introduce the gentleman to businesspeople, to local government. Actually, my friend from Oregon understated it. It is $4.5 billion. It is happening in Seattle, in Tacoma. I was in New York—in Brooklyn—this Friday, where they are looking at a streetcar. It is an extraordinarily efficient way to concentrate development. It encourages private investment. It extends the pedestrian experience. It is part of the toolkit.

I notice the gentleman has left the Chamber. I was going to ask him if he knew that, in his Oklahoma City, there is a TIGER grant that is going to build three blocks of rail line starting in 2016. It was a choice of Oklahoma City. They thought the TIGER grant was so important that they are using Federal money in a project that is supplementing local money.

My friend from Oregon is correct, the ranking member, in that we shouldn't take this tool away from communities, large and small, across the country. From Kenosha, Wisconsin, to Los Angeles, people are understanding that the streetcar has a vital role in revitalizing communities, in giving people more choices, in focusing economic development; and it is why the tram—the streetcar—is ubiquitous across the world. It is why we now have 30 cities that are doing it.

I would argue, if you look at the billions of dollars we have invested in transportation projects, less than a half a billion dollars that people competed for very aggressively, for these TIGER grants, is money well spent. It is well spent in my community. Some people might warrant Bus Rapid Transit, like my colleague from Oregon has in Eugene.

□ 1700

This is a tool that has proven its worth. Communities around the country, from Cincinnati to Dallas, Texas, are doing it because it works. It would be a tragic mistake to approve an amendment that would take this tool away from communities that decide to do it and would like to supplement their local resources with Federal money, like is happening in Oklahoma City next year.

Mr. DEFAZIO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. RUSSELL).

The amendment was rejected.

AMENDMENT NO. 18 OFFERED BY MS. EDWARDS

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part A of House Report 114–326.

Ms. EDWARDS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III of division A, add the following:

SEC. ___. APPOINTMENT OF DIRECTORS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

(a) DEFINITIONS.—In this section—

(1) the term ''Compact'' means the Washington Metropolitan Area Transit Authority Compact (Public Law 89–774; 80 Stat. 1324);

(2) the term ''Federal Director'' means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A); and

(3) the term ''Transit Authority'' means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b) APPOINTMENT BY SECRETARY OF TRANSPORTATION.—

(1) IN GENERAL.—For any appointment made on or after the date of enactment of this Act, the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) AMENDMENT TO COMPACT.—The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Maryland (Ms. EDWARDS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Chairman, I thank the chairman and the ranking member.

Representative COMSTOCK of Virginia and I have an amendment that is at the desk, and I don't have to tell my colleagues who ride Metro every day to and from work of the issues that WMATA Metro has had with safety, performance, and management.

Our bipartisan amendment gives the Secretary of the United States Department of Transportation the authority to appoint the four Federal members to the Washington Metropolitan Area Transit Authority Board. Currently, the General Services Administration has this sole authority and shares oversight responsibilities of the Federal board members with the U.S. Department of Transportation. The WMATA board determines the agency's policy and provides oversight for the funding, operation, and expansion of transit facilities.

We have worked closely with Senator MIKULSKI of Maryland on this issue, and she has introduced a bill in the Senate that is cosponsored by all three other local Senators: Senators CARDIN, WARNER, and KAINE of Virginia.

From various conversations we have had, the Secretary of Transportation is also aware of this issue and is supportive of the Department of Transportation taking over. The General Services Administration has stated that ''this was never in our wheelhouse.'' And WMATA does not oppose this change.

I want to thank Chairs CHAFFETZ and MEADOWS and Ranking Members CUMMINGS and CONNOLLY for working with us since the amendment also falls under the jurisdiction of the House Oversight and Government Reform Committee. They have cleared this amendment.

Before I close, I want to remember our late colleague—and former colleague on the Transportation Committee—Howard Coble, who died last night. He represented the Sixth Congressional District of North Carolina, including the town I was born in, Yanceyville, North Carolina. He will be sorely missed by all of us and his long-time constituents and his service with us. May he rest in peace.

I reserve the balance of my time.

I don't have to tell my colleagues, some of who ride Metro each day to and from work, of the issues the Washington Metropolitan Area Transit Authority (WMATA) has had with safety, performance, and management.

The Passenger Rail Investment and Improvement Act of 2008 (PRIIA, Public Law 110–432), included the National Capital Transportation Amendments Act, a bill authorizing $1.5 billion in federal funding for WMATA capital improvements. It was because of this federal investment and WMATA's large federal employee ridership that the National Capital Region Congressional Delegation created the federal board members.

The Delegation expanded the WMATA Board from twelve members from Maryland, the District of Columbia, and Virginia to include sixteen members, establishing the four new federal member positions. The Delegation also believed that these federal board members would not be wrapped up in jurisdictional politics. Often board members from the jurisdictions do not recommend what is needed because their jurisdiction does not have the money.

The National Capital Region Congressional Delegation gave the appointment authority to the General Services Administration (GSA) because at the time, it seemed the best federal agency to represent the overall federal workforce. Approximately forty percent of WMATA's ridership is federal employees.

Our amendment gives the Secretary of the U.S. Department of Transportation (USDOT) the authority to appoint the four federal members to the WMATA Board. Currently, the GSA has this sole authority and shares oversight responsibilities of the federal board members with USDOT. The WMATA Board determines the agency's policy and provides oversight for the funding, operation, and expansion of transit facilities.

I have worked with Senator MIKULSKI on this issue and she has introduced a bill in the Senate that this amendment is based on. S. 2093 is cosponsored by all 3 other local Senators, Senators CARDIN, WARNER, and KAINE.

From various conversations we have had, Secretary Foxx is aware of this issue and is supportive of USDOT taking over. GSA has stated that "this never was in our wheelhouse." And WMATA does not oppose.

I want to thank Chairs CHAFFETZ & MEADOWS and Ranking Members CUMMINGS & CONNOLLY for working with us since the amendment falls under the House Oversight and Government Reform Committee's jurisdiction. It is my understanding they have cleared this amendment.

Since the creation of the federal board positions in 2008, GSA has not played an active role in oversight of the federal board members. GSA does not have any expertise about what it takes to operate a transit system, nor does it have any experience.

Only USDOT has been committed to the oversight of the federal board members and trying to correct WMATA's myriad problems. WMATA's serious safety, operational, and financial issues have all been documented by USDOT. The Secretary of USDOT and the Federal Transit Administration have been working directly with the federal board members and the transit agency to get things fixed. The federal board members and USDOT are in regular communication.

In addition, the local delegation led by Senator MIKULSKI has been providing the federal finding authorized in PRIIA in the annual Transportation & HUD (THUD) Appropriations Bill. For the last seven years, bill and report language has been included requiring strict oversight by the USDOT Secretary on how these taxpayer dollars are spent.

Before I close, I would like to remember our late colleague, Howard Coble, who died last night. He represented the 6th Congressional District of North Carolina, including the town that I was born in, Yanceyville. Howard will be sorely missed by all of us and his long-time constituents. May he rest in peace.

Mr. GRAVES of Missouri. Mr. Chairman, although I don't oppose the amendment, I ask unanimous consent to claim the time in opposition.

The Acting CHAIR. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, this particular amendment really is in the jurisdiction of the Oversight and Government Reform Committee. They are in favor of the amendment, so we are going to urge our colleagues to support it. We are not going to oppose it.

I yield back the balance of my time.

Ms. EDWARDS. Mr. Chairman, I would like to say it has been a real pleasure to be able to work with Mrs. COMSTOCK on this amendment. It is very rare that we have opportunities to work across the aisle and also across the Capitol to make sure that we are doing the right thing for our transit system here in the metropolitan Washington area that serves so many millions of both Federal workers and tourists from all of our different States and jurisdictions.

It is really clear that the General Services Administration in this day and age is probably not the most appropriate place for the appointment of these members of the board. It is dutifully to be placed with the Department of Transportation to which they have

agreed. I thank our colleagues for all agreeing to this as well.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maryland (Ms. EDWARDS).

The amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MS. FRANKEL OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part A of House Report 114–326.

Ms. FRANKEL of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 424, strike line 17 and all that follows through page 426, line 24.

Page 428, line 20, strike ''and'' at the end.

Page 428, line 23, strike the period and insert ''; and''.

Page 428, after line 23, insert the following:

(4) is not a high-risk carrier, as identified by the Federal Motor Carrier Safety Administration.

Beginning on page 449, strike line 5 and all that follows through page 451, line 22.

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Florida (Ms. FRANKEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. FRANKEL of Florida. Mr. Chairman, I thank the chair, ranking member, and all the colleagues who worked so hard on bringing this legislation to the floor.

My amendment is really about improving this bill. It is going to make it a better bill, and it is about making our Nation's roads safer and the delivery of goods more efficient.

There are 15.5 million trucks on the road each year driving more than 93 billion miles annually, carrying over a billion dollars' worth of goods. There is no question that our Nation's trucking industry is a huge economic driver, earning $650 billion annually, 5 percent of the United States GDP.

With all that sunshine comes a little bit of rain. The National Highway Traffic Safety Administration said that in 2013 almost 4,000 people were killed and 95,000 people were injured by large trucks, costing the public a whopping $100 billion annually. So my amendment does three things to increase safety and to reduce those costs.

First, the amendment brings the requirement for commercial truck insurance into the 21st century. It is shocking, Mr. Chair, that the minimum insurance required for commercial trucks has remained the same since the 1980s at $750,000 per incident regardless of the number of victims or their injuries. The FMCSA, which is the Federal Motor Carrier Safety Administration, is currently engaged in rulemaking to examine the appropriateness of this standard. The base bill requires studies that I respectfully submit will slow down this process.

Imagine a large truck hitting a bus full of schoolchildren and the insurance only being $750,000 to cover all the losses. Do you want to be the person that tells the parents that Congress needs to do more studies before their medical bills can be paid? My amendment strikes these unnecessary studies so that the FMCSA can finish their important work without delay.

Second, the base bill creates a national hiring standard that brokers and shippers must use to hire carriers. One of these standards is based on outdated information. It is not updated annually. So my amendment at the desk would strengthen the hiring standard by prohibiting the hiring of motor carriers defined as ''high-risk carriers'' by the FMCSA.

Finally, just this year, the FMCSA did a study that found that compliance, safety, and accountability scores accurately predict safety performance by drivers. These scores are currently used by brokers and shippers to identify unsafe carriers. Studies show that, since this system has been used, there has been a 14 percent reduction in serious violations of the law. I want to repeat that. There has been a 14 percent reduction in serious violations of the law.

This base bill requires another study that is going to take 18 months. Not only that, the base bill now hides important safety statistics during this time. What my amendment does is very simple. The provision makes these safety scores transparent for the public to see.

Together, these measures are going to improve the movement of goods across the country by increasing safety and efficiency. It is a real good amendment. I think it is going to make this bill much better, and I urge its adoption.

I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, this amendment literally just guts some very crucial reforms to this bill. What this amendment does is strikes a section in the bill that requires the Federal Motor Carrier Safety Administration to remove from its Web site those compliance and safety accountability program scores.

What we found is that the CSA is a flawed system. It treats safe carriers unfairly, and it has done very little to improve motor carrier safety records.

The Government Accountability Office and the motor carrier stakeholders, they have been very critical of the CSA program. They have called for the reform. So what this does is make sure that those reforms are going to happen quickly. It doesn't hide anything. Once the reforms are in place, the scores are going to go back up on the Web site.

In the meantime, that raw data concerning accidents, violations, out-of-service rates, it will remain publicly available; and it is also going to be available to law enforcement if they need to investigate or prosecute an unsafe carrier. So nothing is being hidden, but what this does is require that these reforms are going to take place and they are going to take place very, very quickly.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Ms. FRANKEL of Florida. Mr. Chairman, I would just be repeating myself.

I do want to repeat one thing which I think is important. Since the system has been used by FMCSA, there has been a 14 percent reduction in serious violations of the law, and I think that speaks for itself.

I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chair, again, this guts some very important parts of this bill.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. FRANKEL).

The amendment was rejected.

AMENDMENT NO. 20 OFFERED BY MR. DUNCAN OF TENNESSEE

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in part A of House Report 114–326.

Mr. DUNCAN of Tennessee. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 428, line 23, before the period, insert ''or be unrated''.

Page 428, after line 23, insert the following:

(4) has not been issued an out-of-service order to prohibit a motor carrier from conducting operations at the motor carrier level—

(A) for failing to pay fines under part 385.14 of title 49, Code of Federal Regulations;

(B) for a proposed ''unsatisfactory'' safety rating under part 385.13(d) of title 49, Code of Federal Regulations;

(C) for failing to respond to a new entrant audit under part 385.325 of title 49, Code of Federal Regulations; and

(D) and currently is being considered as an imminent hazard at the carrier level (not the individual driver or equipment level).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Tennessee (Mr. DUNCAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

MODIFICATION TO AMENDMENT NO. 20 OFFERED BY MR. DUNCAN OF TENNESSEE

Mr. DUNCAN of Tennessee. Mr. Chair, I ask unanimous consent that amendment No. 20, printed in part A of House Report 114–326, be modified by the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 20 offered by Mr. DUNCAN of Tennessee:

on line 12 of amendment No. 20, add the word ''not'' after is.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from Tennessee.

Mr. DUNCAN of Tennessee. Mr. Chairman, first I want to commend Chairman GRAVES. Nobody could have done a better job on this bill than he has done. I also want to thank Chairman SHUSTER and Ranking Member DEFAZIO because they have placed just about everything that I have requested into this bill, including accepting an amendment yesterday.

I will repeat something that I said during general debate yesterday: I am so pleased that after we have spent hundreds of billions of dollars over the last 15 years in a vain attempt to rebuild the Middle East, now we are finally going to pass a major bill to rebuild this country and provide hundreds of thousands of jobs all across this Nation.

I rise today, Mr. Chairman, with Mr. PAULSEN of Minnesota to offer an amendment that is basically very technical in nature, but it is one that is very, very important to many thousands of the smallest companies in the trucking industry.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for including in the base bill some of the language from a bill that I introduced that deals with this situation. This amendment expands that by clarifying the requirements that a freight broker must meet before hiring a motor carrier for the delivery of goods.

□ 1715

Currently, the bill requires a broker to check to ensure that the motor carrier is first registered with and authorized by the Federal Motor Carrier Safety Administration to operate as a licensed motor carrier; secondly, has the minimum insurance required by Federal law; and, third, has the satisfactory safety fitness determination by the FMCSA. All of these things make for a safer trucking industry in this country.

Our amendment inserts ''or be unrated'' in the third requirement. Currently, there are thousands of small trucking operations which have yet to be audited or rated by the FMCSA. By adding the words ''or be unrated,'' we ensure that these small companies are not precluded from being in the pool of eligible motor carriers that can be used for shipping goods.

According to the Owner-Operators Independent Drivers Association, OOIDA, without this amendment, we will be creating an incentive not to use small carriers, putting hundreds of thousands of truck drivers out of business due to no fault of their own.

Without this change, we will hurt small mom-and-pop trucking businesses and drive up the cost of shipping goods for everyone.

The second part of our amendment adds a fourth requirement that must be checked by the brokers. This fourth condition requires a broker to check to make sure that a motor carrier has not been issued an out-of-service order to prohibit a carrier from conducting operations. Once again, this makes for a safer trucking industry in this country.

If we do not make this amendment part of the bill, thousands of small companies and mom-and-pop operators who have never had a wreck or had a violation would lose business just because FMCSA does not have the sufficient time or staff to officially rate them.

In conclusion, Mr. Chairman, I will just say this amendment ensures that we have only safe trucks on the road and that thousands of small businesses are not hurt in the process. However, I have received assurances from both Chairman SHUSTER and Ranking Member DEFAZIO that they want to do something about this.

I think everybody on both sides of the aisle in this Congress really wants to try to help the smallest businesses in almost any industry, and they have told me that they will really try to do something about this in conference.

With that assurance and at their request, I am withdrawing this amendment and hope that we can improve the bill as it goes on through conference.

Mr. Chairman, I withdraw the amendment at this point.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 21 OFFERED BY MR. LEWIS

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 441, beginning line 3, strike section 5404 and insert the following new section:

SEC. 5404. STUDY ON COMMERCIAL DRIVER'S LICENSE PROGRAM.

(a) STUDY.—The Secretary shall conduct a study to evaluate the safety effects of the laws and regulations of States that allow licensed drivers between the ages of 18 years and 21 years to obtain a commercial driver's license to operate a commercial motor vehicle within the State.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) A review of the requirements for licensed drivers between the ages of 18 years and 21 years to obtain commercial driver's licenses described in such subsection.

(2) A review of collision rates and fatal collision rates for such drivers while operating a commercial motor vehicle.

(3) A review of any other safety factors and metrics determined appropriate by the Secretary in accordance with subsection (c).

(c) INPUT.—In conducting the study under subsection (a), including with respect to the safety factors and metrics reviewed under subsection (b)(3), the Secretary shall solicit input from representatives of State motor vehicle administrators, motor carriers, labor organizations, independent truck drivers, safety advocates, medical associations and medical professionals, and other persons determined appropriate by the Secretary.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall publish a report containing the results of the study under subsection (a), including any recommendations for statutory changes.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Georgia (Mr. LEWIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. LEWIS. Mr. Chairman, my amendment is simple. It would strike a pilot program that allows teenagers to drive trucks across State lines. Right now this bill mandates that we allow teenagers to become truck drivers. But, Mr. Chairman, it does not ask whether we should give them the keys.

The American public has a strong opinion on this issue. After 92 percent of the comments strongly opposed to this idea, the Federal Motor Carrier Safety Administration denied a request for a similar program in 2003. The vast majority thought it was a bad and dangerous proposal.

My amendment simply asks the Department of Transportation to take another look, a second look, before starting a national program. We need to examine the safety of places where young drivers are already allowed to drive trucks within their own States.

Interstate highways are already dangerous enough. Given the higher and higher accident and fatality rates of younger drivers, it makes no sense to make this change without looking at all of the data.

Mr. Chairman, young drivers may not have the experience needed to handle heavy, dangerous vehicles. Some follow too closely. Others go too fast and don't check their mirrors. Young drivers can use their brakes too much, and that is a real danger when handling an 80,000-pound truck.

Ask any parent. They know. Young drivers do not always listen, even when an experienced driver is in the front seat. My amendment does not say no. It says just let us do the research first. We should study the safety of teen truck drivers before any experiment that might have dangerous results.

I urge my colleagues to support my commonsense amendment.

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

Mr. GRAVES of Missouri. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, this amendment would strike a limited pilot program that is authorizing drivers over the age of 19½ to enter into a graduated program to obtain a commercial driver's license. The program is very limited to a number of States and a number of carriers that

can participate. It also includes a number of safety requirements and a GAO report to Congress examining its safety impacts.

Mr. Chairman, what is interesting about the way present law is is that a driver of the age that is being addressed here could drive all the way across the State of Missouri, for instance, but they can't drive 10 miles in the city of Kansas City, across town, because it is over a State line.

It doesn't make a whole lot of sense, and it actually hampers a whole lot of businesses out there that operate in communities like Kansas City, St. Louis, and St. Joseph that are actually split by a State line.

The trucking industry is facing a severe shortage in the number of drivers. With freight expected to increase 30 percent over the next 10 years, the driver shortage is only going to worsen. We need to get more young people interested in careers in the transportation industry. It is as simple as that.

This is a limited pilot program. It represents a delicate compromise that would accomplish a very important goal.

I urge Members to oppose the amendment.

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

Mr. LEWIS. Mr. Chairman, I appreciate that there is a driver shortage, but it is important, very important, to follow the data. We should not put inexperienced drivers on the road before we have all of the facts.

In my congressional district, in Metro Atlanta, we have three major interstate highways running through our city: I–75, I–85, and I–20. Even with experienced drivers, there is always some major accident. We need to follow the data. I urge all of my colleagues to support my commonsense amendment.

Mr. Chairman, I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, again, what we are trying to do with this program is just allow those drivers to be able to cross the State line. Again, they are already allowed to go an entire State's length within the State.

I would ask my colleagues to oppose the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. LEWIS).

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

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

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

AMENDMENT NO. 22 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part A of House Report 114–326.

Mr. JOHNSON of Georgia. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 449, beginning line 5, strike section 5501 relating minimum financial responsibility rulemaking.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise today to speak in support of my amendment to H.R. 22.

Minimum insurance requirements for trucks have remained the same since the 1980s. Currently, it is $750,000. Healthcare costs have skyrocketed. For example, hospital care for traumatically brain-injured people can average $8,000 per day. Minimum insurance does not realistically account for multivehicle accidents where $750,000 must be divided among all of the injured parties.

FMCSA is currently undergoing rulemaking to evaluate current insurance requirements. Congress should not delay or derail this effort. Section 5501 conditions the agency's rulemaking upon its completion of detailed studies that must be completed in consultation with industry stakeholders.

This amendment strikes language that is designed to delay and ultimately derail this long-overdue rulemaking. When a person suffers life-threatening injuries due to the negligence of a motor carrier, the cost of long-term care and the loss of his or her livelihood often is pushed to the background. For families that undergo this ordeal, it often comes as a surprise that, despite a congressional mandate in the 1980s, minimum insurance requirements for interstate truckers and bus carriers have remained unchanged.

The Motor Carrier Act of 1980 specifically set out to ensure public safety by requiring insurance premiums to be updated regularly. A similar bill, the Bus Regulatory Reform Act of 1982, was passed for the segment of the industry transporting passengers interstate.

While the minimum insurance levels in 1985 for general freight carriers and small-bus operators was $750,000 and $1.5 million respectively, with higher liability limits for carriers of hazardous materials and large bus carriers, the intent of Congress was to increase the minimums regularly to keep pace with inflation.

In April of this year, the Federal Motor Carrier Safety Administration released a report to Congress that examined the adequacy of the current financial responsibility requirements for motor carriers. The conclusion was clear: Today the cost of injuries and fatalities arising from crashes far exceed the minimum insurance levels interstate operators are required to carry. As a result, victims are often not appropriately compensated for their injuries.

Language in section 5501 is an attempt to stop or at the very least delay this long-overdue FMCSA rulemaking in its tracks by taking away the resources necessary for the agency to evaluate appropriate levels of financial responsibility for the motor carrier industry. FMCSA rulemaking is necessary because current insurance limits do not adequately cover crashes primarily because of increased medical costs.

To be on par with medical consumer price index inflation, the liability limit for general freight carriers today would be $4.4 million, calculated from the 1980 passage date of the Motor Carrier Act, and around $6.5 million for small-bus operators.

Moreover, the April FMCSA report found that, in real terms, insurance premiums have actually decreased for the same level of coverage since the 1980s. The result is that thousands of crash victims are left without the financial resources to pay medical bills or restore the quality of life that he or she enjoyed before the trucking or bus accident, that despite the fact that insurance premiums have gone down.

In many cases, the burden of healthcare costs are passed on to taxpayers, as Medicare and Medicaid shoulder millions of dollars of medical care each year due to inadequately insured carriers. We must keep the trucking industry accountable for safety by supporting this amendment.

I urge my colleagues to support this amendment.

The Acting CHAIR. The time of the gentleman has expired.

□ 1730

Mr. GRAVES of Missouri. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, what this amendment does is it strikes some very commonsense regulatory reforms in the bill.

The underlying bill requires the Department of Transportation to study whether an increase in minimum insurance levels for intercity buses is needed before pursuing a rulemaking to change the levels. I don't understand why we would strike language that simply tells the Department to determine whether a problem exists before it regulates.

The amendment also strikes language in the bill that requires the Secretary to consider the impact of an ongoing rulemaking on small trucking companies and safety.

These considerations, Mr. Chairman, are not going to delay the rulemaking, but it is going to add transparency and accountability to the process.

I would urge my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The amendment was rejected.

AMENDMENT NO. 23 OFFERED BY MR. RIBBLE

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title V of division A, add the following:

SEC. ___. TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT.

Section 229(e)(4) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended—

(1) by striking ''50 air mile radius'' and inserting ''75 air mile radius''; and

(2) by striking ''the driver.'' and inserting ''the driver, except that a State, upon notice to the Secretary, may establish a different air mile radius limitation for purposes of this paragraph if such limitation is between 50 and 75 air miles and applies only to movements that take place entirely within the State.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Wisconsin (Mr. RIBBLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RIBBLE. Mr. Chairman, my amendment would increase the air-mile radius from 50 air-miles to 75 air-miles for the transportation of construction materials and equipment to satisfy the 24-hour reset period under the hours of service rule. It would also give States the ability to opt out of this increase if the movement would take place entirely within one State's borders.

This is a bipartisan amendment cosponsored by Mr. LIPINSKI, Mr. HANNA, and Mr. CRAMER.

Commercial motor vehicle drivers in the construction industry face some unique circumstances. They often haul perishable materials like asphalt and concrete from a construction company's central shop or dispatch center to a specific project site within that company's area of operation.

These drivers spend long periods of time waiting to pick up materials and loading or unloading equipment, instead of driving, but they are considered on duty for the entire duration of the trip. Current law allows construction industry drivers to reset their weekly on-duty time after a 24-hour consecutive off-duty period; however, this exemption is only allowed if those drivers work within a 50 air-mile radius.

Because construction companies operate today in larger areas than they did when the exemption was first put in place two decades ago, I am offering this amendment to increase this air-mile radius to 75 air-miles. I urge all my colleagues to support this amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise to claim the time in opposition, though I am not in opposition.

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

There was no objection.

Mr. DEFAZIO. Mr. Chairman, this amendment extends an existing exemption established in 1995 by Congress, and I think it is a reasonable and very small adjustment to that. I think it will improve efficiency and lower costs. I have no objection.

I yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI), a cosponsor of the amendment.

Mr. LIPINSKI. I thank the ranking member for yielding.

I want to thank Mr. RIBBLE for his work on this amendment and other important transportation issues. I think Mr. RIBBLE and Ranking Member DEFAZIO have explained this very well.

In recognition of the unique nature of the construction industry, Congress did provide this exemption to certain hours of service rules for commercial motor vehicle drivers in the industry.

Increasing this from 50 to 75 miles is a small change, but I think it will be very helpful because the current exemption we have seen has come up short. It needs to be modernized for most efficient goods movement and keep perishable materials from spoiling, as well as account for the fact that many materials suppliers operate in areas outside of the current air-mile radius. This amendment helps improve the exemption by increasing it by 25 miles.

It is also important to note that this amendment provides an opt-out provision for those States that do not wish to participate in this increase.

I urge my colleagues to support this amendment.

Mr. RIBBLE. Mr. Chairman, I urge all Members to support my amendment.

I yield back the balance of my time.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RIBBLE).

The amendment was agreed to.

AMENDMENT NO. 24 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VI of division A, add the following new section:

SEC. 6027. PILOT PROGRAM FOR REDUCTION OF DEPARTMENT-OWNED VEHICLES AND INCREASE IN USE OF RIDE-SHARING SERVICES.

(a) PILOT PROGRAM REQUIREMENT.—The Secretary of each covered department shall establish a pilot program within the department for the following purposes:

(1) To reduce the inventory of light vehicles owned by the department by 10 percent for each of the fiscal years described in subsection (b), through the sale or other appropriate disposal of such vehicles.

(2) At the discretion of the Secretary of the department, to increase the use by the department of commercial ride-sharing companies.

(b) FISCAL YEARS DESCRIBED.—The fiscal years described in this subsection are the following:

(1) The first fiscal year beginning after the expiration of the 1-year period starting on the date of the enactment of this Act.

(2) Each of the four fiscal years following the fiscal year described in paragraph (1).

(c) REPORT TO CONGRESS.—Not later than 60 days after the end of the fiscal year described in subsection (b)(1), and annually thereafter for the duration of the pilot program, the Secretary of each covered department shall submit to Congress a report on the results of the pilot program in the department. The report shall include information about the transportation budget of the department and such findings and recommendations as the Secretary of the department considers appropriate.

(d) COVERED DEPARTMENT.—In this Act, the term ''covered department'' means each of the following:

(1) The Department of Agriculture.

(2) The Department of the Interior.

(3) The Department of Energy.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, these amendment marathons can often be a bit exhausting around here with all sorts of ideas coming from different directions, but now for something completely different.

Our government is heading to having about a half a million light-duty vehicles, so think of this: As of today, I think we have about 460,000 light-duty vehicles in the fleet of government.

Our amendment is something very, very simple. We all walk around with these supercomputers in our pocket—our smartphones—and we see the technology revolution, the information revolution, that is happening around us, whether it be ride sharing, on-call services, or just the management of data. We have people living next to each other going to the same workplace.

Let's use this information in this new world around us and ask three agencies to reduce their vehicle fleets by engaging in the new world of information, whether it be ride sharing, an Uber model, a Zipcar model, or taxicab model. Maybe it is a hybrid that we have never thought of that gets brought forward.

So the amendment is very, very simple. All we are asking is that three agencies reduce their vehicle fleets by using modern technology, modern means of transportation, modern social transportation.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

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

Mr. Chair, first, I would ask the gentleman very quickly the question: Why these particular agencies?

I yield to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, to my friend on the other side, there was a GAO report—I think it might now have been a couple of years ago—and these three agencies actually were tagged as having the highest number of vehicles as a percentage of, I believe, employment population that sat idle. Agriculture was close to 30,000 vehicles; Interior, 18,000. There was an actual reason.

Mr. DEFAZIO. Reclaiming my time, I thank the gentleman.

Although the gentleman does reside in Arizona, I know he certainly is aware that both the BLM and the Forest Service must cover huge amounts of territory with their employees, including many forested and remote areas.

In my district, just doing my rounds on paved roads, I can be out of cell service 20 to 25 percent of the time. There is no Uber, Lyft, or any alternative available to me, let alone my Forest Service and BLM employees who are up in the forest. I don't think Uber is lurking around the forest waiting to pick them up. Plus, they don't have cell service. I guess they could use a sat phone, but I don't think they will come.

The agency choices are peculiar. They may have a large fleet, and they have a large fleet for a particular reason. Obviously, you can have one Forest Service employee and one vehicle going to a very remote work location for one work duty. They don't have an opportunity to ride share or do anything else. I find that to be particularly problematic.

I think the intent of having the government reduce the number of light vehicles, particularly for agencies that are based in urban areas or more urban environments, is very intriguing and interesting. I would be happy to support his next amendment, which would have us study this issue. The GAO, working with GSA, I think could point to appropriate ways to reduce the fleet and to more efficiently reduce costs and yet still have employees be able to use their time very efficiently.

I would oppose this amendment, but in order to save time, I will say now that I will support the next amendment.

I reserve the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, to my colleague from Oregon, one more time, the reference points in the GAO study actually said vehicles that lay idle, and that is why we chose these. There was actually a reason for choosing these three agencies.

Mr. Chairman, a couple of data points: Agriculture, 29,818 light-duty vehicles; Interior, 18,752 light-duty vehicles; the Department of Energy, 7,315 light-duty vehicles.

We are asking them to do the 10 percent reduction of those vehicle fleets over the 4 years. If technology efficiencies, the new gig economy, however you see it, can't accomplish that through the simplest reforms brought to us by the modern era, we are in trouble.

Mr. Chairman, I ask for support of this amendment.

I yield back the balance of my time.

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

I think the gentleman misstated. It is 10 percent per year for 5 years. It is a 50 percent reduction in fleet. So that seems, without much more granular data, pretty radical. And I wouldn't want to see that the next time I have got a major fire, the Forest Service doesn't have adequate vehicles in the Willamette Forest or in any other forest in my State to dispatch all the people they need to command and control and to deal with that fire.

So I think the idea of the study has merit. I think it is an arbitrary cut of 50 percent, particularly with two land management agencies that manage millions of acres of land. I know of Forest Service and BLM employees that, on a given day, their duty may require them to drive 4 hours to a remote spot to do a particular function, spend an hour there, and drive back; and there is no way around it because they had to do something at that particular point. So saying, ''Gee, you are going to have to ride share or thumb or call Uber and see if they will take you out there for a couple hundred miles in the mountains,'' it just doesn't work for me.

I think a study is a good idea, and we may find, indeed, there are efficiencies. But to arbitrarily reduce the fleets of the two largest land management agencies in the Federal Government, the Forest Service and the BLM, by 50 percent, I think could cause very unanticipated and potentially disastrous problems.

I urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT).

The amendment was rejected.

AMENDMENT NO. 25 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VI of division A, add the following new section:

SEC. 6027. STUDY AND REPORT ON REDUCING THE AMOUNT OF VEHICLES OWNED BY CERTAIN FEDERAL DEPARTMENTS AND INCREASING THE USE OF COMMERCIAL RIDE-SHARING BY THOSE DEPARTMENTS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the feasibility of—

(1) reducing the amount of vehicles owned by a covered department; and

(2) increasing the use of commercial ride-sharing companies by a covered department.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that contains the results and conclusions of the study conducted under subsection (a).

(c) COVERED DEPARTMENT DEFINED.—In this section, the term ''covered department'' means each of the following:

(1) The Department of Agriculture.

(2) The Department of the Interior.

(3) The Department of Energy.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, not to belabor this one, because actually, in many ways, our friend from Oregon has spoken to this one. I actually believe we may have some misreading of what the previous one says, but we will adjudicate that again maybe over coffee.

This is basically a similar concept as we were just discussing but is actually trying to produce some data sets for future policy.

Mr. Chairman, my understanding is the gentleman from Oregon is going to accept the amendment.

I yield back the balance of my time.

□ 1745

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT).

The amendment was agreed to.

AMENDMENT NO. 26 OFFERED BY MR. REICHERT

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 580, in the matter following line 20, add to the analysis for chapter 702 of title 49, United States Code, after the item relating to section 70203, the following:

''70204. GAO study on economic impact of labor contract negotiations at ports on west coast.

Page 584, line 20, strike the closing quotation marks and the period at the end.

Page 584, after line 20, insert the following:

''§ 70204. GAO study on economic impact of labor contract negotiations at ports on west coast

''(a) STUDY.—With respect to the slowdown that occurred during labor contract negotiations at ports on the west coast of the United States during the period from May 2014 to

February 2015, the Comptroller General of the United States shall conduct a study to—

''(1) determine the economic impact of such slowdown on the United States and on each port in the United States, including changes in the amount of cargo arriving at and leaving from ports on the west coast and other changes in cargo patterns, including congestion;

''(2) calculate the cost, including the cost to importers, exporters, farmers, manufacturers, and retailers, of contingency plans put in place to avoid disruptions from such slowdown;

''(3) review steps taken by the Federal Mediation and Conciliation Service to resolve the dispute that caused such slowdown;

''(4) identify tools such Service or the President could have used to facilitate a resolution to such dispute;

''(5) evaluate what other mechanisms are available to the President to avoid disruptions during future labor negotiations at ports in the United States;

''(6) suggest how such mechanisms could be changed to improve the ability to avoid such disruptions in order to prevent serious economic harm to importers, exporters, farmers, manufacturers, and retailers; and

''(7) suggest any legislation that might ensure better regulation of the operations of ports in the United States with respect to such labor negotiations.

''(b) REPORT.—Not later than 1 year after the date of the enactment of this section, the Comptroller General of the United States shall submit a report to Congress containing the findings of the study conducted under subsection (a).''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. REICHERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. REICHERT. Mr. Chairman, today I rise to offer an amendment that will allow us to collect the facts and evaluate the impact of the 2014–2015 West Coast ports slowdown and dispute.

The efficient movement of goods is critical to the economic success of this country. Our farmers and manufacturers must be able to export their high-quality products to the customers around the world that they rely upon.

Beginning in the summer of 2014, these customer relationships and our economy were threatened. This was the result of a prolonged contract negotiation between the Pacific Maritime Association and the International Longshore and Warehouse Union that ended February 2015.

Just how serious was the impact of these prolonged negotiations? One example from my home State provides a clear illustration.

Our apple growers in Washington State were faced with an estimated $100 million worth of apples that they could not sell. Other stories can be told about multiple types of produce and products, including the hay and the potato industry, in Washington State.

In fact, Mr. Chairman, I was in Malaysia and Singapore during part of the slowdown, and the complaint in those two countries was they couldn't get their potatoes. And especially they were upset they weren't getting their Washington State french fries.

So this did have an impact across the globe. This wasn't just a United States economy impact. This was a global impact.

In fact, the ships coming from those countries to the West Coast were slowed down to 8 knots, hoping that this would be resolved by the time the ships reached the West Coast.

This amendment simply requires the Government Accountability Office to study the economic impact of this dispute, review the steps taken to reach an agreement, and suggest what other tools might be used to prevent future slowdowns.

Like many of you, I have committed to my constituents that I will work to ensure that this is not repeated for the sake of our workers, farmers, and manufacturers. This amendment moves us in that direction.

I thank my colleagues, Representatives SCHRADER, NEWHOUSE, RADEWAGEN, and COFFMAN for working with me on this important issue. I urge support of this amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. I yield myself 2 minutes.

Mr. Chairman, we would all like to prevent future disruptive shutdowns like this. I think a full survey of all the causes would be interesting. It would be an interesting thing to have the GAO conduct.

Unfortunately, this is directed only at one factor, which is the union itself. In fact, in here, finding 7 says: Suggest any legislation that might ensure better regulation of the operations of the ports in the United States with respect to such labor negotiations.

I think that that is very focused just on the labor side and not a balanced look at what might have gone on on the management side of this issue.

Secondly, there are many other ongoing, enduring, and very costly port congestion factors out there that should be comprehensively looked at in order to more efficiently move freight in and out of our ports, absent any sort of labor dispute or shutdown or lockout or any of those certain things that relate to labor that also merit a comprehensive look and, I think, merit a potential action by Congress. But this report would not enlighten us in those areas either.

I would like to see the GAO conduct an analysis of the myriad of factors that point to port congestion, provide Congress with a wide range of policy recommendations, including options for financing intermodal efficiency to enhance the trade of goods in and out of the United States. So I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. REICHERT. Mr. Chairman, just as a matter of clarification, this legislation addresses both the Pacific Maritime Association and union issues.

How can you be against something that would be an investigation that would clearly reveal what the problems are on both sides?

So this legislation is not designed to point the finger at any one entity. Two entities are involved in this issue. We need to find out what we can do to prevent this from happening in the future because it costs the United States economy money, it costs jobs, and it affects the entire global economy.

Mr. Chair, I yield 2 minutes to the gentlewoman from American Samoa (Mrs. RADEWAGEN).

Mrs. RADEWAGEN. I thank the gentleman for yielding.

Mr. Chairman, first, I would like to thank Representatives REICHERT, SCHRADER, NEWHOUSE, and COFFMAN for their work in offering the amendment that will simply direct GAO to conduct a study on the impact of the recent West Coast ports slowdown so that we can avoid these costly slowdowns in the future.

As we all know, the Nation's economic stability and prosperity are directly linked to our ability to import and export goods. In fact, 30 percent of the Nation's GDP stems from imports and exports, 30 percent. That is a large portion of the country's production.

During the slowdown, many of our businesses struggled to maintain the flow of capital due to their inability to ship goods. Additionally, many of our retailers found it difficult to keep their shelves stocked due to the lack of incoming goods, causing revenue loss and even the shutting of some businesses.

Now, just imagine if, instead of 30 percent, that number was 90 percent. Could you possibly imagine the devastation to the economy of even a brief slowdown?

It would have been the biggest story of the year. Our constituents would have been camped out on our front steps demanding action from Congress.

Well, let me tell you that, in American Samoa, that number is 90 percent. We rely almost solely on imported goods for our food and energy needs.

The main revenue generator on our beautiful islands is the tuna canning industry, which comprises more than 85 percent of the island's GDP. This industry relies heavily upon their ability to ship their products quickly to the mainland and other nations.

We must ensure that this does not happen again. This amendment being offered by my colleagues and me will take the first step in finding solutions to future slowdowns in the operations at our Nation's ports.

I ask that my colleagues in the House support this bipartisan measure to ensure the continued flow of goods to and from our ports and the growth of our economy.

Mr. DEFAZIO. Mr. Chair, I yield 1 minute to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Chairman, I am actually pleased here to join my colleague, Representative REICHERT from

Washington, in offering this important amendment today.

I want to assure Members here on the floor that this in no way is picking sides. You want to talk about labor disputes? These are labor management disputes.

The problem we have on the West Coast is that this particular dispute last year actually crippled severely the United States economy not just on the West Coast, but into the Midwest and beyond.

We can't have this happen again. We cannot have this happen again. We have to remain competitive in this global economy. We have to figure out a different way to resolve these disputes so that what is a legitimate labor management negotiation does not affect businesses, farmers, workers, and thousands of jobs across this country.

In my State, Terminal 6, the port of Portland's container terminal, is no longer operational. Why? Because the carriers don't want to call on this port because it is too unreliable. They don't know if they are going to have ships to anchor up for weeks on end waiting to upload.

Instead, they will just call on other ports north or south of us. This is directly an impact for the businesses and farmers.

The Acting CHAIR. The time of the gentleman has expired.

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

Mr. SCHRADER. The Reichert amendment simply allows us to have a GAO study to talk about what possible outcomes could be different than what we endured last year. The goal here is just simply to get some facts, get some information, protect American jobs, protect American workers.

The Acting CHAIR. The time of the gentleman from Washington has expired.

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

I would suggest that, in reading the language, I think it could be more balanced and I think it also should include those other factors which are day-to-day congestion, which do cost our economy hundreds of millions or billions of dollars a year.

So I am opposed to this, as worded. I urge people to oppose it, and I would hope that we can work through the conference committee on something that will give us a more comprehensive analysis of what we need to do to increase the viability of all American ports.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. REICHERT).

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

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

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

AMENDMENT NO. 27 OFFERED BY MR. NEWHOUSE

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII of Division A of the bill, add the following:

SEC. _____. FINDINGS ON PORT PERFORMANCE.

Congress finds the following:

(1) America's ports play a critical role in the Nation's transportation supply chain network.

(2) Reliable and efficient movement of goods through the Nation's ports ensures that American goods are available to customers throughout the world.

(3) Breakdowns in the transportation supply chain network, particularly at the Nation's ports, can result in tremendous economic losses for agriculture, businesses, and retailers that rely on timely shipments.

(4) A clear understanding of terminal and port productivity and throughput should help—

(A) to identify freight bottlenecks;

(B) to indicate performance and trends over time; and

(C) to inform investment decisions.

SEC. _____. PORT PERFORMANCE FREIGHT STATISTICS PROGRAM.

(a) IN GENERAL.—Chapter 63 of title 49, United States Code, is amended by adding at the end the following:

"§ 6314. Port performance freight statistics program

''(a) IN GENERAL.—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

''(1) the Nation's top 25 ports by tonnage;

''(2) the Nation's top 25 ports by 20-foot equivalent unit; and

''(3) the Nation's top 25 ports by dry bulk.

''(b) REPORTS.—

''(1) PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

''(2) PORT PERFORMANCE MEASURES.—The Director shall collect monthly port performance measures for each of the United States ports referred to in subsection (a) that receives Federal assistance or is subject to Federal regulation to submit a quarterly report to the Bureau of Transportation Statistics that includes monthly statistics on capacity and throughput as applicable to the specific configuration of the port.

''(A) MONTHLY MEASURES.—The Director shall collect monthly measures, including—

''(i) the average number of lifts per hour of containers by crane;

''(ii) the average vessel turn time by vessel type;

''(iii) the average cargo or container dwell time;

''(iv) the average truck time at ports;

''(v) the average rail time at ports; and

''(vi) any additional metrics, as determined by the Director after receiving recommendations from the working group established under subsection (c).

''(B) MODIFICATIONS.—The Director may consider a modification to a metric under subparagraph (A) if the modification meets the intent of the section.

''(c) RECOMMENDATIONS.—

''(1) IN GENERAL.—The Director shall obtain recommendations for—

''(A) specifications and data measurements for the port performance measures listed in subsection (b)(2);

''(B) additionally needed data elements for measuring port performance; and

''(C) a process for the Department of Transportation to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

''(2) WORKING GROUP.—Not later than 60 days after the date of the enactment of this section, the Director shall commission a working group composed of—

''(A) operating administrations of the Department of Transportation;

''(B) the Coast Guard;

''(C) the Federal Maritime Commission;

''(D) U.S. Customs and Border Protection;

''(E) the Marine Transportation System National Advisory Council;

''(F) the Army Corps of Engineers;

''(G) the Saint Lawrence Seaway Development Corporation;

''(H) the Advisory Committee on Supply Chain Competitiveness;

''(I) 1 representative from the rail industry;

''(J) 1 representative from the trucking industry;

''(K) 1 representative from the maritime shipping industry;

''(L) 1 representative from a labor organization for each industry described in subparagraphs (I) through (K);

''(M) 1 representative from a port authority;

''(N) 1 representative from a terminal operator;

''(O) representatives of the National Freight Advisory Committee of the Department; and

''(P) representatives of the Transportation Research Board of the National Academies.

''(3) RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of this section, the working group commissioned under this subsection shall submit its recommendations to the Director.

''(d) ACCESS TO DATA.—The Director shall ensure that the statistics compiled under this section are readily accessible to the public, consistent with applicable security constraints and confidentiality interests.''.

(b) PROHIBITION ON CERTAIN DISCLOSURES.—Section 6307(b)(1) of title 49, United States Code, is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)'' each place it appears.

(c) COPIES OF REPORTS.—Section 6307(b)(2)(A) of such title is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 63 of such title is amended by adding at the end the following:

''6314. Port performance freight statistics program.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chairman, I would like to thank the chairman of the committee, Mr. SHUSTER, as well as Ranking Member DEFAZIO and all the

members of the Transportation and Infrastructure Committee for their hard work on this large bill, this legislation.

The amendment I offer today for myself and Mr. SCHRADER of Oregon is vitally important to the American economy. Nearly a year ago, a dispute began at 29 of our Nation's West Coast ports that drastically slowed imports and exports to a near standstill.

Agricultural products rotted on the docks. Retailers couldn't get products to stores. American manufacturers could not get their products to foreign customers. By one estimate, there was nearly $7 billion in damages to our economy.

Mr. Chairman, I have no interest in pointing fingers over who is responsible for the dispute. However, I do believe that Congress has a great interest in preventing future disruptions from harming our businesses and consumers as well as our economy.

One thing that became abundantly clear during the disruption was that there was very little data available to gauge how our ports are functioning on a day-to-day basis. If something is impeding port performance, be it a dispute, major congestion, or even a natural disaster, we need to know if and how our ports are suffering before it harms our economy and standing with foreign trading partners.

This amendment is simple. It requires the Bureau of Transportation Statistics to collect and make available data on how our Nation's ports are operating. Currently, the Bureau collects this information for our railroads, for our highways, and our airports. We also need this information for our ports as well.

The amendment that we are introducing is already in the Senate highway bill. It has been approved by the Senate Commerce Committee by voice vote. This is not and should not be controversial.

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I also want to note that there are over 150 organizations supporting this measure, organizations like the National Retail Federation, the American Farm Bureau, the Association of American Railroads, the National Association of Manufacturers, and the American Trucking Association. The list goes on and on. It has very broad multi-industry and bipartisan support.

Mr. Chairman, this amendment is about transparency and certainty for our Nation's economy. If something is harming our ports, our decisionmakers need information to address and mitigate that harm.

Now, I would have urged my colleagues to adopt this amendment, just as a broad, bipartisan group did so in the Senate, but I have been in close conversation with staff of the Transportation and Infrastructure Committee, as well as the chairman and the ranking member. I would ask for continued commitment on the part of the chairman to keep working on this issue. It is very important and vital to the economy of the United States.

With that commitment, Mr. Chairman, I withdraw the amendment.

The Acting CHAIR. The amendment is withdrawn.

The Chair understands that amendment No. 28 will not be offered.

AMENDMENT NO. 29 OFFERED BY MR. DESANTIS

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in part A of House Report 114–326.

Mr. DESANTIS. Mr. Chairman, I have an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following new section:

SEC. 1431. SENSE OF CONGRESS ON INSOLVENCY OF THE HIGHWAY TRUST FUND AND RETURNING POWER TO STATES.

(a) FINDINGS.—Congress finds the following:

(1) The Highway Trust Fund is nearing insolvency.

(2) It is critical for Congress to phase down the Federal gas and diesel taxes and empower the States to tax and regulate their highway and infrastructure projects.

(3) The Federal role and funding of surface transportation should be refocused solely on Federal activities and empower States with control and responsibility over their transportation funding and spending decisions.

(4) The objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States.

(5) The Interstate System connecting all States is near completion.

(6) Each State has the responsibility of providing an efficient transportation network for the residents of the State.

(7) Each State has means to build and operate a network of transportation systems, including highways, that best serves the needs of the State.

(8) Each State is best capable of determining the needs of the State and acting on those needs.

(9) The Federal role in highway transportation has, over time, usurped the role of the States by taxing motor fuels used in the States and then distributing the proceeds to the States based on the perceptions of the Federal Government on what is best for the States.

(10) The Federal Government has used the Federal motor fuel tax revenues to force all States to take actions that are not necessarily appropriate for individual States.

(11) The Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities.

(12) The Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars of projects, programs, and activities that the States would not otherwise undertake.

(13) Congress has expressed a strong interest in reducing the role of the Federal Government by allowing each State to manage its own affairs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary should provide a new policy blueprint to govern the Federal role in transportation once existing and prior financial obligations are met;

(2) this policy should return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national surface transportation systems that are not within the direct purview of the Federal Government;

(3) this policy will preserve the Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways and will preserve responsibility of the Department of Transportation for design construction and preservation of transportation facilities on Federal public land, preserving responsibility of the Department of Transportation for national programs of transportation research and development and transportation safety; and

(4) this policy will preserve responsibility of the Department of Transportation to eliminate, to the maximum extent practicable, Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of Federal and State transportation facilities with respect to transportation activities carried out by States, local governments, and the private sector.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Florida (Mr. DESANTIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DESANTIS. Mr. Chairman, we are here today discussing how to meet the country's important infrastructure needs, and I think what my amendment does is offer a vision for a different approach in the future. I think it is an approach that is more accountable to taxpayers, and I think it rests on governments closer to the people making more of our transportation decisions.

I don't think anyone is going to sit here and claim that the transit and highway system as it is done up here in Washington is being done well. It is chronically underfunded. We are using all kinds of budget gimmicks in this bill. We are doing the Strategic Petroleum Reserve again to, quote, unquote, pay for this. Somehow you are taking oil at $50 a barrel and you are projecting it to be sold for $85 a barrel. So we know we have been through this a lot here.

I think part of the problem is, if you look at our infrastructure needs, most of them are intrastate, not necessarily interstate. And while the interstate system is very important and it needs to be maintained, expanded where appropriate, most of the needs that we have in a State like Florida can be done at the county level or at the State level.

I would note, Mr. Chairman, that since we have had the highway trust fund since 1956, Florida has paid a lot in taxes, and we received about 88 cents on the dollar back. So I am trying to figure out why we would want to perpetuate a system that is not fiscally sustainable and that puts more power in Washington.

Think about it. Most of your needs are done countywide, citywide, and statewide, and yet people in a State like Florida will pay their gas taxes. That will be shipped up to Washington;

people will fight over it, politicians, lobbyists, and interest groups; and then the money that comes back is 88 cents on the dollar.

I would like to send the gas tax to Washington that is going to fund the actual interstate system, but then leave a portion of the gas tax for State legislatures to spend or for people in local governments to spend. I think you would be able to do it cheaper. I think it would be more accountable to the taxpayers, and I think it would be better for motorists and people who are using our transportation system.

So all this does, Mr. Chairman, it is not binding. I wish we could have done something binding, but there are different budget rules. What it does is lay out a vision that we can do this in a way that rests on decisions being made closer to the American people rather than putting everything in Washington, D.C.

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

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we want to go back to the good old days; that is, before Dwight David Eisenhower was President. Here we have what we had before when we didn't have a national highway program. This is the brand-new Kansas turnpike. Oklahoma said: We will build ours. Uh-oh. We have got financial problems.

They didn't.

So for a few years, this brand-new ribbon of concrete ended right here. Kind of odd. This is Amos Schweitzer's farm field. They put up a big wooden barrier. People crashed through it, and Amos towed them out of the field. He was a nice guy.

Until we had a national program where the Federal Government would partner with the States for something that was of national import, it didn't happen. Let's go back to those good old days.

This is a new idea, came from Grover Norquist: We are going to devolve the duty to the 50 States assembled and the territories, and somehow they will magically coordinate this. Oh, by the way, if you happen to be a coastal State with major ports—I think Florida has a few of those—gee, you are going to have to pay for all of the costs of transshipping the goods that flow into your State out to the other States. That is your responsibility. You are Florida, raise the money to do it.

Oh, how are you going to do that?

I don't know. You can't raise taxes on the imports because that would be a Federal responsibility, a different category.

Mr. Chairman, this is an idea whose time has not yet come, an idea whose time passed a very long time ago. We need more investment in the national system. Mr. Chairman, 140,000 bridges need repair or replacement; 40 percent of the highway surface, the roadbeds need replacement; $84 billion backlog in bringing our transit systems up to a state of good repair, and that is not even dealing with a growing population, growing mobility, and the need for a national freight program. And we are just going to send it back to the States, and they will magically somehow take care of it—poppycock.

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

Mr. DESANTIS. Mr. Chairman, we would love for these interstate issues to be done at the Federal level. That is what the Federal Government is here for, and that is the way it should be. But when you are talking about purely local issues, there is not a reason to send the money up to Washington and then beg back for pennies on the dollar. That is not an efficient way to do it.

Yes, I think that we do have a responsibility to have an efficient interstate system, but we also need to understand that Washington shouldn't be dictating what local communities do.

And, yes, in a State like Florida where we have a lot of this is intrastate, let's empower the States and let's empower the local communities. Just imagine if they were able to have a portion of that gas tax go directly to them. I think you would see great decisions made.

Mr. Chairman, I urge my colleagues to support this amendment.

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

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the committee.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I share many of the same conservative beliefs that my colleague from Florida has. This town is littered with agencies that don't belong here according to the Founding Fathers. Over time they have grown up, and the Federal Government has taken that power.

But I do disagree with the gentleman from Florida on this issue. When it comes to transportation, the Constitution we have today, the breaking point of the Articles of Confederation, one of the breaking points, the biggest breaking point, was the transportation system. Maryland and Virginia couldn't come together on a treaty to navigate the Potomac River, so they realized that if they couldn't connect this Nation, then we would never be a nation. We would be 13 separate entities, 50 entities today. But the Founding Fathers came and wrote the Constitution we know today.

Article I, section 8 talks about the role of the Federal Government, providing for the common defense, regulating interstate commerce, and establishing post roads. Those post roads today are the highways and the byways of this Nation.

Mr. Chairman, I agree with the gentleman. Washington shouldn't be dictating. This bill does more to send back power to the States, to let the States drive the issues. But there is a Federal role, not to do it all, but to partner—to partner—with the States in building the infrastructure system that we have today. What physically connects us is our highway system; it is our transportation system.

I would argue also, Mr. Chairman, the gentleman pointed out that Florida—I agree, I know what the return on Florida is, but Florida has benefited tremendously by two roads in particular: I–95 and I–75. If you go to the east coast or the west coast of Florida, millions of people are traveling from the Northeast and the Midwest down to Florida to spend their dollars, and many are relocating. If you go to the east coast, there are many Pennsylvanians. So Florida has benefited tremendously by this system that we have today.

Again, I believe with this bill we are turning back to the States a lot of responsibility. I think this is a conservative bill based on that, to let States—and also, to remind the gentleman and my colleagues, I like to turn back things to the States that they actually ask for. My phone is not ringing off the hook having Governors say, ''Give us this back.''

The Acting CHAIR. The time of the gentleman has expired.

Mr. DEFAZIO. Mr. Chairman, I yield the gentleman an additional 15 seconds.

Mr. SHUSTER. Finally, Mr. Chairman, Adam Smith said in ''The Wealth of Nations'' that government should do three things for their people: provide them with security, preserve justice, and erect and maintain infrastructure to promote commerce.

If you don't believe BILL SHUSTER, get out a copy of ''The Wealth of Nations'' and read what Adam Smith said, the father of our economic system.

With that, Mr. Chairman, I urge everyone to oppose this amendment.

Mr. DEFAZIO. Mr. Chairman, I would point out that under the current formulas, actually, and current spending levels, Florida is getting back $1.15 on the dollar. So, actually, under the gentleman's proposal, devolving back to the States, doing away with the Federal revenues, both gas tax and general fund revenues, would actually be a net loss to Florida; but then I guess they would just have to raise their gas taxes by the 18.3 cents that is going to the Federal Government and a bit more in order to make that up.

Again, we would lose the coordination among the States. The priorities of States bordering Florida may not match the priorities of Florida in terms of access and egress to the State of Florida. So I think we are well-served as a nation by having a coordinated Federal program and streamlined and efficient reforms.

Mr. Chairman, I urge Members to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DESANTIS).

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

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

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

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. SHUSTER OF PENNSYLVANIA

Mr. SHUSTER. Mr. Chairman, pursuant to House Resolution 512, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56 printed in part A of House Report No. 114–326, offered by Mr. SHUSTER of Pennsylvania:

AMENDMENT NO. 30 OFFERED BY MS. MOORE OF WISCONSIN

Page 17, after line 14, insert the following:

(8) SENSE OF CONGRESS ON PROMPT PAYMENT OF DBE SUBCONTRACTORS.—It is the sense of Congress that—

(A) the Secretary should take additional steps to ensure that recipients comply with section 26.29 of title 49, Code of Federal Regulations (the disadvantaged business enterprises prompt payment rule), or any corresponding regulation, in awarding federally funded transportation contracts under laws and regulations administered by the Secretary; and

(B) such additional steps should include increasing the Department's ability to track and keep records of complaints and to make that information publicly available.

AMENDMENT NO. 31 OFFERED BY MR. GRAVES OF LOUISIANA

Page 65, strike lines 16 and 17, and insert the following:

''(5) enhance the resiliency of critical highway infrastructure, including highway infrastructure that supports national energy security.

AMENDMENT NO. 32 OFFERED BY MR. POLIS OF COLORADO

Page 198, line 3, strike the closing quotation marks and the final period and insert the following:

''(86) Interstate Route 70 from Denver, Colorado, to Salt Lake City, Utah.''.

AMENDMENT NO. 33 OFFERED BY MS. BONAMICI OF OREGON

Page 198, line 3, strike the closing quotation marks and final period.

Page 198, after line 3, insert the following:

''(86) The Oregon 99W Newberg-Dundee Bypass Route between Newberg, Oregon, and Dayton, Oregon.''.

AMENDMENT NO. 34 OFFERED BY MR. SCHRADER OF OREGON

Page 198, line 3, striking the closing quotation mark and the second period.

Page 198, insert after line 3 the following:

''(86) Interstate Route 205 in Oregon from its intersection with Interstate Route 5 to the Columbia River.''.

AMENDMENT NO. 35 OFFERED BY MR. DUFFY OF WISCONSIN

Page 229, line 23, strike the closing quotation marks and final period.

Page 229, after line 23, insert the following:

''(n) CERTAIN LOGGING VEHICLES IN WISCONSIN.—

''(1) IN GENERAL.—The Secretary shall waive, with respect to a covered logging vehicle, the application of any vehicle weight limit established under this section.

''(2) COVERED LOGGING VEHICLE DEFINED.—In this subsection, the term 'covered logging vehicle' means a vehicle that—

''(A) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

''(B) has a gross vehicle weight of not more than 98,000 pounds;

''(C) has not less than 6 axles; and

''(D) is operating on a segment of Interstate Route 39 in Wisconsin from mile marker 175.8 to mile marker 189.''.

AMENDMENT NO. 36 OFFERED BY MR. CRAWFORD OF ARKANSAS

Add at the end of the title I of the bill the following:

SEC. ___. OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.

If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System, the single axle weight, tandem axle weight, gross vehicle weight, and bridge formula limits under section 127(a) of title 23, United States Code, and the width limitation under section 31113(a) of title 49, United States Code, shall not apply to that segment with respect to the operation of any vehicle that may have legally operated on that segment before the date of the designation.

AMENDMENT NO. 37 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle D of title I of Division A, insert the following:

SEC. _____. PROJECTS FOR PUBLIC SAFETY RELATING TO IDLING TRAINS.

Section 130(a) of title 23, United States Code, is amended by striking ''and the relocation of highways to eliminate grade crossings'' and inserting ''the relocation of highways to eliminate grade crossings, and projects to eliminate hazards posed by blocked grade crossings due to idling trains''.

AMENDMENT NO. 38 OFFERED BY MR. LIPINSKI OF ILLINOIS

At the end of subtitle D of title I of division A, add the following:

SEC. ___. EXEMPTIONS FROM REQUIREMENTS FOR CERTAIN WELDING TRUCKS USED IN PIPELINE INDUSTRY.

(a) COVERED MOTOR VEHICLE DEFINED.—In this section, the term ''covered motor vehicle'' means a motor vehicle that—

(1) is traveling in the State in which the vehicle is registered or another State;

(2) is owned by a welder;

(3) is a pick-up style truck;

(4) is equipped with a welding rig that is used in the construction or maintenance of pipelines; and

(5) has a gross vehicle weight and combination weight rating and weight of 15,000 pounds or less.

(b) FEDERAL REQUIREMENTS.—A covered motor vehicle, including the individual operating such vehicle and the employer of such individual, shall be exempt from the following:

(1) Any requirement relating to registration as a motor carrier, including the requirement to obtain and display a Department of Transportation number, established under chapters 139 and 311 of title 49, United States Code.

(2) Any requirement relating to driver qualifications established under chapter 311 of title 49, United States Code.

(3) Any requirement relating to driving of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(4) Any requirement relating to parts and accessories and inspection, repair, and maintenance of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(5) Any requirement relating to hours of service of drivers, including maximum driving and on duty time, established under chapter 315 of title 49, United States Code.

AMENDMENT NO. 39 OFFERED BY MR. NOLAN OF MINNESOTA

At the end of title I of division A, add the following:

SEC. ___. WAIVER.

(a) IN GENERAL.—The Secretary shall waive, for a covered logging vehicle, the application of any vehicle weight limit established under section 127 of title 23, United States Code.

(b) COVERED LOGGING VEHICLE DEFINED.—In this section, the term ''covered logging vehicle'' means a vehicle that—

(1) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

(2) has a gross vehicle weight of not more than 99,000 pounds;

(3) has not less than 6 axles; and

(4) is operating on a segment of Interstate Route 35 in Minnesota from mile marker 235.4 to mile marker 259.552.

AMENDMENT NO. 40 OFFERED BY MR. COHEN OF TENNESSEE

Page 241, line 10, strike ''and''.

Page 241, after line 10, insert the following:

(2) by amending paragraph (3)(I) to read as follows:

''(I) the provision of nonfixed route paratransit transportation services in accordance with section 223 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12143), but only for grant recipients that are in compliance with applicable requirements of that Act, including both fixed route and demand responsive service, and only for amounts—

''(i) not to exceed 10 percent of such recipient's annual formula apportionment under sections 5307 and 5311; or

''(ii) not to exceed 20 percent of such recipient's annual formula apportionment under sections 5307 and 5311, if consistent with guidance issued by the Secretary, the recipient demonstrates that the recipient meets at least one of the following requirements:

''(I) Provides an active fixed route travel training program that is available for riders with disabilities.

''(II) Provides that all fixed route and paratransit operators participate in a passenger safety, disability awareness, and sensitivity training class on at least a biennial basis.

''(III) Has memoranda of understanding in place with employers and American Job Centers to increase access to employment opportunities for people with disabilities.''.

AMENDMENT NO. 41 OFFERED BY MR. VEASEY OF TEXAS

Page 248, beginning on line 6, strike ''or general public demand response service'' and insert ''or demand response service, excluding ADA complementary paratransit service,''.

AMENDMENT NO. 42 OFFERED BY MR. LIPINSKI OF ILLINOIS

Page 252, strike lines 14 through 19 and insert the following: ''exceed 80 percent of the net capital project cost. A full funding grant agreement for a new fixed guideway project shall not include a share of more than 50 percent from the funds made available under this section. Funds made available under

section 133 of title 23, United States Code, may not be used for a grant agreement under subsection (d). A grant for a core capacity project shall not exceed 80 percent of the net capital project cost of the incremental cost to increase the capacity in the corridor. A grant for a small start project shall not exceed 80 percent of the net capital project costs.''; and

AMENDMENT NO. 43 OFFERED BY MS. ADAMS OF NORTH CAROLINA

Page 263, line 18, strike ''minority, and female'' and insert the following: ''female, individual with a disability, minority (including American Indian or Alaska Native, Asian, Black or African American, native Hawaiian or other Pacific Islander, and Hispanic)''.

AMENDMENT NO. 44 OFFERED BY MS. FOXX OF NORTH CAROLINA

Page 268, line 14, strike ''and''.

Page 268, line 17, strike the period and insert a semicolon and after such line insert the following:

''(iv) the percentage of program participants who are in unsubsidized employment during the second quarter after exit from any such program;

''(v) the percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from any such program;

''(vi) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from any such program;

''(vii) the percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from any such program; and

''(viii) the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.''.

Page 267, line 25, strike ''and''.

Page 268, line 4, strike the period and insert a semicolon and after such line insert the following:

''(x) address in-demand industry sector or occupation, as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).''.

AMENDMENT NO. 45 OFFERED BY MRS. LAWRENCE OF MICHIGAN

Page 314, after line 15, insert the following new subsection:

(d) REPORT.—The Council shall, concurrently with submission to the President of a report containing final recommendations of the Council, transmit such report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

AMENDMENT NO. 46 OFFERED BY MS. MOORE OF WISCONSIN

At the end of title III of division A, add the following:

SEC. _____. EFFECTIVENESS OF PUBLIC TRANSPORTATION CHANGES AND FUNDING.

Not later than 18 months after the date of enactment of this Act, the Comptroller General shall examine and evaluate the impact of the changes that Map-21 had on public transportation, including—

(1) the ability and effectiveness of public transportation agencies to provide public transportation to low-income workers in accessing jobs and being able to use reverse commute services;

(2) whether services to low-income riders declined after Map-21 was implemented; and

(3) if guidance provided by the Federal Transit Administration encouraged public transportation agencies to maintain and support services to low-income riders to allow them to access jobs, medical services, and other life necessities.

AMENDMENT NO. 47 OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

Page 466, after line 21, insert the following:

(a) AUTOMOBILE TRANSPORTER DEFINED.—Section 31111(a)(1) of title 49, United States Code, is amended—

(1) by striking ''specifically''; and

(2) by adding at the end the following: ''An automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul, so long as it complies with weight limitations for a truck tractor and semitrailer combination.''.

(b) TRUCK TRACTOR DEFINED.—Section 31111(a)(3)(B) of title 49, United States Code, is amended—

(1) by striking ''only''; and

(2) by inserting before the period at the end the following: ''or any other commodity, including cargo or general freight on a backhaul''.

(c) BACKHAUL DEFINED.—Section 31111(a) of title 49, United States Code, is amended by adding at the end the following:

''(5) BACKHAUL.—The term 'backhaul' means the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route.''.

Page 466, line 22, insert ''(d) STINGER-STEERED AUTOMOBILE TRANSPORTERS.—'' before ''Section''.

AMENDMENT NO. 48 OFFERED BY MS. MOORE OF WISCONSIN

Page 322, strike line 8 and insert the following:

''(vii) support for school-based driver's education classes to improve teen knowledge about—

''(I) safe driving practices; and

''(II) State's graduated driving license requirements, including behind-the-wheel training required to meet those requirements; and''.

AMENDMENT NO. 49 OFFERED BY MR. CRAWFORD OF ARKANSAS

At the end of subtitle E of title V of Division A of the bill, add the following:

SEC. _____. COMMERCIAL DELIVERY OF LIGHT- AND MEDIUM-DUTY TRAILERS.

(a) DEFINITIONS.—Section 31111(a) of title 49, United States Code, is amended by adding at the end the following:

''(5) TRAILER TRANSPORTER TOWING UNIT.—The term 'trailer transporter towing unit' means a power unit that is not used to carry property when operating in a towaway trailer transporter combination.

''(6) TOWAWAY TRAILER TRANSPORTER COMBINATION.—The term 'towaway trailer transporter combination' means a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers—

''(A) with a total weight that does not exceed 26,000 pounds; and

''(B) in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor or dealer of such trailers or semitrailers.''.

(b) GENERAL LIMITATIONS.—Section 31111(b)(1) of such title is amended—

(1) in subparagraph (E) by striking ''or'' at the end;

(2) in subparagraph (F) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(G) has the effect of imposing an overall length limitation of less than 82 feet on a towaway trailer transporter combination.''.

(c) CONFORMING AMENDMENTS.—

(1) PROPERTY-CARRYING UNIT LIMITATION.—Section 31112(a)(1) of such title is amended by inserting before the period at the end the following: '', but not including a trailer or a semitrailer transported as part of a towaway trailer transporter combination, as defined in section 31111(a)''.

(2) ACCESS TO INTERSTATE SYSTEM.—Section 31114(a)(2) of such title is amended by inserting ''any towaway trailer transporter combination, as defined in section 31111(a),'' after ''passengers,''.

AMENDMENT NO. 50 OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle E of title V, insert the following new section:

SEC. 5515. GAO REVIEW OF SCHOOL BUS SAFETY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a review of the following:

(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.

(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title 49, Code of Federal Regulations, and each of the following:

(A) A failure by those same operators of State or local safety inspections.

(B) The average age or odometer readings of the school buses in the fleets of such operators.

(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.

(D) Violations of State or local law relating to illegal passing of a school bus.

(3) A regulatory framework comparison of public and private school bus operations.

(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.

AMENDMENT NO. 51 OFFERED BY MS. MENG OF NEW YORK

Page 524, line 12, after ''challenges'' insert '', including consumer privacy protections''.

AMENDMENT NO. 52 OFFERED BY MRS. NAPOLITANO OF CALIFORNIA

Page 541, line 15, add at the end the following: ''In developing such regulations, the Secretary shall consult with States to determine whether there are safety hazards or concerns specific to a State that should be taken into account in developing the requirements for a comprehensive oil spill response plan.''

AMENDMENT NO. 53 OFFERED BY MR. MOULTON OF MASSACHUSETTS

Page 571, line 3, redesignate section 7015 as section 7016.

Page 571, after line 2, insert after section 7014 the following new section:

SEC. 7015. STUDY ON THE EFFICACY AND IMPLEMENTATION OF THE EUROPEAN TRAIN CONTROL SYSTEM.

(a) IN GENERAL.—The Comptroller General of the United States shall, in consultation with other heads of Federal agencies as appropriate, conduct a study on the European Train Control System.

(b) ISSUES.—In conducting the study described in subsection (a), the Comptroller General shall examine, at a minimum, the following issues:

(1) The process by which the European Train Control System came to replace the more than 20 separate national train control systems throughout the European continent.

(2) The costs associated with implementing the European Train Control System across all affected railroads in Europe.

(3) The impact of the European Train Control System on operating capacity and rail passenger safety.

(4) The efficacy of the European Train Control System and the feasibility of implementing such a system throughout the national rail network of the United States.

(5) A comparison of the costs associated with adopting European Train Control System technology with the costs associated with developing and implementing Positive Train Control in the United States.

(c) REPORT.—Not later than 180 days after the date of the enactment of this section, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study described in subsection (a).

AMENDMENT NO. 54 OFFERED BY MR. NEUGEBAUER OF TEXAS

At the end of title VII, add the following:

SEC. _____. HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.

The Secretary shall allow a State, at the discretion of the State, to waive the requirement for a holder of a Class A commercial driver's license to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, if the license holder—

(1) is acting within the scope of the license holder's employment as an employee of a custom harvester operation, agrichemical business, farm retail outlet and supplier, or livestock feeder; and

(2) is operating a service vehicle that is—

(A) transporting diesel in a quantity of 3,785 liters (1,000 gallons) or less; and

(B) clearly marked with a ''flammable'' or ''combustible'' placard, as appropriate.

AMENDMENT NO. 55 OFFERED BY MR. CUMMINGS OF MARYLAND

Page 573, after line 11, add the following:

SEC. ___. TRACK SAFETY: VERTICAL TRACK DEFLECTION.

(a) REPORT.—Not later than March 31, 2016, the Secretary shall transmit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate detailing research conducted or procured by the Federal Railroad Administration on developing a system that measures Vertical Track Deflection (in this section referred to as ''VTD'') from a moving railroad car, including the ability of such a system to identify poor track support from fouled ballast, deteriorated cross ties, or other conditions.

(b) INCLUSIONS.—This report shall include—

(1) the findings and results of testing of VTD instrumentation during field trials on revenue service track;

(2) the findings and results of subsequent testing of VTD instrumentation on a Federal Railroad Administration Automated Track Inspection Program geometry car;

(3) if considered appropriate by the Secretary based on the report and related research, a plan for developing quantitative inspection criteria for poor track support using existing VTD instrumentation on Federal Railroad Administration Automated Track Inspection Program geometry cars; and

(4) if considered appropriate by the Secretary based on the report and related research, a plan for installing VTD instrumentation on all remaining Federal Railroad Administration Automated Track Inspection Program geometry cars within 3 years after the date of enactment of this Act.

AMENDMENT NO. 56 OFFERED BY MR. WALZ OF MINNESOTA

At the end of title VII, add the following:

SEC. _____. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels and structure of insurance for a railroad carrier transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials; and

(2) the level and structure of insurance that would be necessary and appropriate—

(A) to efficiently allocate risk and financial responsibility for claims; and

(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident.

(c) REPORT.—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates under section 5103(a) of title 49, United States Code.

(2) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, let me start off by first saying we lost a valuable former member of this committee just recently. Howard Coble passed away. I just want to say that Howard was on this committee his entire time in Congress.

He was a very valued member of the Transportation and Infrastructure Committee. He was a champion of the Coast Guard, which he served, his beloved Coast Guard, and he was always there fighting for them. He was an excellent Representative of the people of his district in North Carolina, and he was a great friend of mine and, I know, many, many Members of this Congress.

Howard Coble will be missed greatly. I am just proud to say that on the last Coast Guard reauthorization bill we were able to name it after Howard Coble, someone who deserved that honor.

So, again, it is with a heavy heart I say that I salute Howard Coble and say farewell, as I said, to a great friend and great Member of this institution.

Mr. Chairman, I rise now to offer these amendments en bloc. They reflect priorities from both sides of the aisle. I thank all Members for their cooperation in putting together this en bloc, and I urge all Members to support it.

I would like, also, to take a moment at this time to thank all the Members on both sides of the aisle that participated in this debate. I want to thank the Speaker for putting us first on the floor for this new open and transparent—I know some of my colleagues on the other side don't think it was open enough, but I think many of us on the committee, I don't want to speak for Mr. DEFAZIO, but it was an open process to me, and I think that is important.

□ 1815

As Mr. POLIS talked about earlier today, he had ideas. We were able to incorporate some of those, some of the Members on the other side, and some we certainly opposed. But it was the hard work and willingness to come together on this important piece of legislation. I think this makes it stronger when we go to the Senate.

The STRR Act continues the Federal role in providing a strong national transportation system, enables our country to remain economically competitive, and helps ensure our quality of life. As we just talked about in the last amendment, this is a Federal responsibility. The Founders would have wanted it this way. They certainly probably had differences of opinion. But this role is something the Federal Government needs to be part of.

The STRR Act is a multiyear bill that provides that certainty for States and local governments. This bill helps to improve our Nation's infrastructure and maintains a strong commitment to safety, but it also provides important reforms that will help us to continue to do the job more effectively. Some of those reforms I mentioned earlier were pushing back to the States, giving them the ability to have the flexibility, to make sure that they can drive this in their States to get these projects done more effectively and more efficiently, which will save us all money.

I urge all Members to support this bill and the amendments en bloc.

With that, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Chairman, I would like to thank both the ranking member for yielding and for his support, and the chairman for his support, for two amendments that I have in this bloc.

One is a commonsense amendment exempting a narrow class of welders from the Federal Motor Carrier Safety regulations that I offered with Mr. DAVIS of Illinois and a number of other Members. The other amendment is a bipartisan compromise that I offered with Mr. DOLD and Mr. NADLER. It is an effort to clarify that transit agencies can utilize CMAQ and TIFIA funds to match the 50 percent funding in a New Start grant.

I appreciate the chairman's willingness to work with me on this issue and restore the Core Capacity and Small Starts projects Federal match limit back to 80 percent and allow local agencies to flex other Federal funds to these projects.

Without these funds, without these changes, local flexibility would be greatly diminished and many projects would be delayed or canceled, including Chicago's red and purple line modernization.

This bill still restricts the use of the STP funds for the remainder of the match and codifies the New Starts grant amount at 50 percent. I strongly disagree with these new restrictions and hope we can also work on this in conference.

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

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. NOLAN), a member of the committee.

Mr. NOLAN. Mr. Chairman, my amendment and the body of the amendments in this bloc are really all about public safety. Mine, in particular, is a bipartisan, commonsense solution to a very limited but seriously dangerous problem. In short, it will help make winter travel safer for truckers, travelers, and pedestrians who live, work, and do business in and around the great seaport of Duluth, Minnesota.

I would like to thank Chairman BILL SHUSTER and Ranking Member PETER DEFAZIO for working with me on this, and the endless hours that you have put forth in committee and here on the floor yesterday, today, late into the night, and tomorrow for opening up and democratizing this process, making amendments like mine and others possible.

Mr. Chairman, I urge adoption of the amendment.

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

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE) to describe her amendments which are included.

Ms. MOORE. Mr. Chairman, I thank the ranking member.

I want to thank the chairman and the ranking member for accepting my amendments on the DBE prompt payment issue, and to allow teen driving safety grants to be used to help fund school-based driver's education to help our young people meet the Graduated Driver Licensing requirements.

I want to talk about the last of my amendments, requiring a GAO report on the impact of MAP–21 changes on the ability of those who previously benefited from transportation services under the Job Access and Reverse Commute program to get to work.

The report would examine whether services to low-income riders declined after MAP–21 was implemented, as well as efforts by the FTA, after passage of MAP–21, to encourage public transportation agencies to maintain and support these services so that low-income riders would allow them access to jobs, medical services, and other life necessities.

MAP–21 ended the stand-alone JARC grant program. Instead, those activities were added as eligible uses of funds under larger formula grant programs. There was no requirement that transit agencies use any of their annual transit funding to provide services to meet the needs of low-income individuals trying to get to work—none.

My amendment would allow us to know what the real-world impact of these changes are. Congress did not intend these changes to make it harder for low-income and TANF populations to use transportation to get to work. That just doesn't make sense. These hardships should not occur.

I hope that adoption of this amendment sends a message to transit agencies that they must continue to provide innovative services to ensure that low-income people and the marginally employed are able to reach places of employment, educational opportunities, job training, child care, medical appointments, and other life necessities.

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

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute the gentlewoman from North Carolina (Ms. ADAMS) to discuss her amendment.

Ms. ADAMS. Mr. Chairman, I thank the gentleman for yielding.

I rise today in support of this package of amendments that includes my amendment, which clarifies minority groups to be targeted in human resources outreach efforts by the Department of Transportation. My amendment would expand the bill's use of the term ''minority'' and specify the inclusion of underrepresented minority groups.

Oftentimes, when policies are put in place to create diversity, they are not implemented with special attention to communities that are historically underrepresented. This is a special burden for underrepresented minorities who have higher than average unemployment rates.

Furthermore, we all know investments in infrastructure means jobs for our constituents and opportunities for our businesses back home. As we work to pass this legislation, I believe we must make a concerted effort to diversify the people who are able to take advantage of these opportunities.

I should note that particular areas of the transportation industry, such as public transportation service providers see better levels of diversity, but it is time to expand these opportunities to include engineering, contracting, project development, and other components of the process. Our transportation industry should reflect the diversity of our country at every level.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I just want to make note of an important provision that is included in the en bloc amendment package.

As you know, the transportation bill includes a new program that addresses significant roadways. It addresses some of the more expensive projects, and it establishes a competitive grant program in excess of about $740 million a year.

One of the important things we have to do is we have to provide guidance to the Department of the Transportation in regard to the criteria they use, the metrics they use, in this competitive process.

An amendment in this bill includes the importance of strategic energy assets to ensure that roadways like LA 1 in south Louisiana are included.

After Hurricane Katrina, gasoline prices nationwide spiked about 75 cents a gallon. Following Hurricanes Gustav and Ike in 2008, gasoline prices spiked about $1.40 a gallon, which was the largest price spike since the Arab oil embargo. So it is important that, as they go through and allocate these grants, that they are looking at factors that are very important and have national consequences.

I want to thank the ranking member and the chairman and all the big four for helping us on this.

Mr. DEFAZIO. Mr. Chairman, we are not quite at the end of this epic, but I would like to take a moment.

First, I want to reflect on the chairman's brief eulogy for Howard Coble, who was a wonderful member of the committee; and Howard's embarked on his last great voyage. We all remember him warmly.

I would like to thank the chairman and the chair of the subcommittee for the way in which we moved forward. This bill was a product of many, many months of negotiation between Members and staff. I think we have a good policy-based product here, so I want to thank the chairman and the chairman of the subcommittee. I want to thank my ranking member of the subcommittee, ELEANOR HOLMES NORTON.

I want to thank my committee staff on my side: Helena Zyblikewycz, Auke Mahar-Piersma—we are blessed with interesting names on our side—Andrew

Okuyiga, Ben Lockshin, Jennifer Homendy, Ryan Seiger, Alexa Old Crow. Of course, my chief of staff Kathy Dedrick. We have had much mention of the last time we did one of these bills. Kathy staffed me when we did the last time long-term bill, which was quite a few years ago. Jen Gilbreath, Jaime Harrell, and Luke Strimer.

On the Republican side, I particularly want to thank Chris Bertram and Murphie Barrett and all the other Republican staff for their fabulous work.

I won't say all the meetings were warm and fuzzy, but we worked stuff out in the end. I think we got a good product. I think going through this legislative process was a demonstration that House Members can individually be relevant, offer their ideas. They might be rejected, they might be accepted, but I think this was a very good process.

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

Mr. SHUSTER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. YODER). The gentleman from Pennsylvania has 6 minutes remaining.

Mr. SHUSTER. Mr. Chairman, this has been 3 years in the making. When I first became chairman just about 3 years ago to almost the date today, one of my top priorities was to pass a multiyear surface transportation bill. I have had some people who lament and say: Oh, you have been on the floor long; oh, you have had to go through these different fights. But I can tell you, it has all been pleasurable. It is exciting that we finally are getting this thing to send here on the floor and get it into conference.

I couldn't do it without the help and advice of a great staff on the Republican side. I also want to thank the Democratic staff. I know both staffs have spent some long nights and some long weekends trying to get this thing all worked out, and they have done a great job of it. I thank each and every one of them on both sides of the aisle for their hard work.

I want to thank all the members on the Transportation and Infrastructure Committee on both sides for their valuable input and, again, their hard work in putting this thing together to bring it to the floor. I want to thank Ranking Member DEFAZIO, Ranking Member NORTON, and the chair of the Subcommittee on Highways and Transit, Mr. GRAVES, for their work.

PETER DEFAZIO has been a good friend and able opponent at times. He has been here a long time. He is bright; he is tough; he is passionate; but at the end of the day, we are able to come together on a lot of these issues and work it out, so I appreciate Mr. DEFAZIO's efforts.

And finally, let me say, for the first time in my 15 years of Congress that I have participated in a Transportation and Infrastructure debate on the floor, that my father's name has not been mentioned one time. So let me be the first to mention my father, Bud Shuster. I am not sure if he is watching at home. If he is, he is taking notes and will tell me things I said right and things I could have probably said better. But I just want to thank him for the guidance he has given me throughout my life, for the valuable advice he has offered to me at times when I have asked and many times when I have not asked. And, again, if he is watching tonight, I am sure he is writing down some things that he is going to give me some pointers on. But I want to thank my father, Bud Shuster, again, for his great support over the years.

I am looking forward to getting to conference and getting this thing done because I think it is important to the American people that we have a long-term highway bill. This has been an issue that people say it is great, there is a lot of bipartisan support—and there is—but these are issues that Republicans, Democrats, and Americans care about, our infrastructure, and want to get to work without delays and want to get products to market and want to get the raw materials to the factories that keep us competitive in the world. We are in a world market that we have to remain competitive, and transportation is one of those vital links that will keep us there.

With that, again, I thank everybody for their hard work. Staff, again, thank you.

With that, I urge all Members to support the final bill.

I yield back the balance of my time.

Ms. BONAMICI. Mr. Chair, I rise today in support of my amendment to add the Newberg Dundee Bypass Route as a High Priority Corridor and I would like to thank the Chairman and Ranking Member for working with me to bring it forward. Let me be clear—there is no cost to this amendment—it merely raises the prominence and importance of the bypass. The construction of the bypass is underway and has great potential to ease congestion, promote freight mobility, and provide important multi-modal connections for residents and visitors in the broader Yamhill County region. The success of Oregon's wine and agricultural industries has increased freight traffic in the region. The bypass seeks to address the difficulties associated with transportation of goods and services and enhance the recovery of Yamhill County's economically distressed communities. The development of this corridor has wide support in the region, including from the state, local and tribal governments, and surrounding communities. I include a letter from Oregon's Department of Transportation in support of this amendment for the RECORD.

Further, this project is of significant importance because of its location in the Cascadia Subduction Zone. We know that the question is not if, but when, an earthquake and tsunami will hit. Preparing our region is a priority for Oregonians and will save countless lives and federal funds. This road serves as an evacuation route for the central coast and is being built to withstand a 9.0 earthquake. I thank Chairman SHUSTER and Ranking Member DEFAZIO for their support of my amendment.

DEPARTMENT OF TRANSPORTATION,
OFFICE OF THE DIRECTOR,
Salem, OR, October 30, 2015.

Re: Support for amendment to designate the OR 99W Newberg-Dundee bypass route between Newberg, OR, and Dayton, OR as a new High Priority Corridor on the National Highway System.

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

Hon. PETER DEFAZIO,
Ranking Member, Transportation and Infrastructure Committee, Washington, DC.

DEAR CHAIRMAN SHUSTER AND RANKING MEMBER DEFAZIO: I write today in support of an amendment to H.R. 22 offered by Representative Suzanne Bonamici of Oregon.

Representative Bonamici has filed an amendment with the Rules Committee seeking to amend Section 1405 of the bill by adding the OR 99W Newberg-Dundee Bypass route between Newberg, OR, and Dayton, OR as a new High Priority Corridor on the National Highway System.

The Newberg-Dundee Bypass project is one of many key regional transportation corridors in Oregon. The Bypass project is important to both regional freight movement and congestion relief. In addition, the Oregon Department of Transportation's (ODOT) Safety Priority Index System for 2014 identified six sites on OR 99W that are in the top 10 percent of crash sites statewide based on frequency and severity of incidents. In the event of a major natural disaster such as a Cascadia Subduction Zone earthquake and tsunami, this corridor would serve as an emergency evacuation and relief route for the central Oregon Coast. The first phase of the project, which is currently under construction, is being built to withstand a 9.0 Cascadia subduction zone earthquake to ensure this critical lifeline will remain operational in such an event. For these reasons, ODOT supports the inclusion of the Newberg-Dundee Bypass on the list of High Priority Corridors on the National Highway System.

Thank you for your consideration.

Sincerely,

MATTHEW L. GARRETT,
Director.

□ 1830

The Acting CHAIR (Mr. YOUNG of Iowa). The question is on the amendments en bloc offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The en bloc amendments were agreed to.

AMENDMENT NO. 57 OFFERED BY MS. HERRERA BEUTLER

The Acting CHAIR. It is now in order to consider amendment No. 57 printed in part A of House Report 114–326.

Ms. HERRERA BEUTLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 289, strike lines 11 through 14 and insert the following:

''(i) $352,950,000 for fiscal year 2016;
''(ii) $462,950,000 for fiscal year 2017;
''(iii) $468,288,000 for fiscal year 2018;
''(iv) $473,653,500 for fiscal year 2019;
''(v) $479,231,500 for fiscal year 2020; and
''(vi) $484,816,000 for fiscal year 2021;''.

Beginning on page 289, strike line 21 and all that follows through page 290, line 8, and insert the following:

''(i) $262,950,000 for fiscal year 2016;
''(ii) $262,950,000 for fiscal year 2017;
''(iii) $268,288,000 for fiscal year 2018;

''(iv) $273,653,500 for fiscal year 2019;

''(v) $279,231,500 for fiscal year 2020; and

''(vi) $284,816,000 for fiscal year 2021.''.

At the end of title III of division A, add the following:

SEC. ___. INCREASE SUPPORT FOR GROWING STATES.

Section 5340 of title 49, United States Code, is amended—

(1) by striking subsection (b) and inserting the following:

''(b) APPORTIONMENT.—Of the amounts made available for each fiscal year under section 5338(b)(2)(M), the Secretary shall apportion 100 percent to States and urbanized areas in accordance with subsection (c).''; and

(2) by striking subsection (d).

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Washington (Ms. HERRERA BEUTLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. HERRERA BEUTLER. Mr. Chairman, over 50 percent of all transit riders in the U.S. travel on buses, but only 10 percent of our transit funding actually goes to buses. I will say that again. Over half of the people in this country who use public transportation take buses to get to work, to the grocery store, to visit family; yet the Federal Government dedicates less than 10 percent of its transit funds specifically to buses and to bus facilities.

We are selling communities short, communities like my home in southwest Washington, but we have an opportunity to rectify the situation, Mr. Chairman.

While overall transit funding has been steadily increasing, this bill funds buses in 2016 at, roughly, half of the 2012 levels—that is, Mr. Chairman, unless you happen to represent one of seven States for which this bill sets aside, roughly, an additional $272 million a year.

While all 50 States can compete for funds through the nationwide Competitive Bus Grant program, which is funded at $90 million in 2016 and $200 million each year after, a select few of the northeastern States get an additional $272 million pot to draw from. That is right, Mr. Chairman.

These high-density States—Maryland, Massachusetts, New York, New Jersey, Connecticut, Rhode Island, and Delaware—have a special pot of money set aside for them that averages $90 million more a year than the nationwide pot that all 50 States compete for. Oh, and those seven States still get to compete for the nationwide pot.

It is an issue of fairness, Mr. Chairman. The idea that seven States have available to them more money than all 50 States combined isn't fair to the communities in my State or in yours or in the other 43 States.

My amendment would simply move the funding from the seven-State set-aside program into the Competitive Bus Grant program and allow all States to compete for these much-needed resources.

I urge my colleagues to support the amendment.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I rise in reluctant opposition to the amendment offered by the gentlewoman from Washington, a former member of the committee.

Let me be clear. I agree we should be further increasing the funds available for bus procurement. MAP–21 cut bus funding in half—a devastating cut to many smaller and mid-sized transit agencies, including in my district.

We tried to reverse these cuts as much as we could in this bill, but with the severely limited funding that was mentioned earlier today, there was only so much we could do. In total, we increased the bus formula and competitive grant program by 40 percent.

I would also like to mention the bus procurement reforms in the bill that are designed to lower the cost of bus purchases. We provided several different mechanisms that provide bulk buying power for transit agencies. Buses are expensive, and larger purchases will help them to get lower costs.

This amendment will further increase the bus procurement programs and shift money from the high-density-States formula that benefits seven northeastern States. The high-density-States formula is actually an old Senate provision, carefully drafted by the esteemed members of the Senate's Banking, Housing, and Urban Affairs Committee sometime ago and is of great benefit to those seven States.

I am very sympathetic to the amendment, but I am obligated, reluctantly and tepidly, to oppose it.

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

Ms. HERRERA BEUTLER. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Chairman, I rise in opposition to this earmark, as I am a cosponsor and am in support of this amendment, No. 57, offered by Ms. HERRERA BEUTLER.

This has been interesting in the debate because it has been absolutely clarified on both sides that we see this as an earmark. Basically, seven States take from this bill a disproportionate amount based on a formula that declares them high-density States: New York, New Jersey, Massachusetts, Connecticut, Maryland, Rhode Island, and Delaware.

If you do not live in one of these States and if you are a Member of Congress, you should vote for this amendment because declaring them high-density States is a meaningless designation. For example, Chicago, Los Angeles, and many, many urban areas throughout our country are high density and deserve to be able to participate in this fund, but they cannot because they are not located in one of these States that has largely been, as the ranking member has indicated, a Senate formula set-aside.

Our Founding Fathers, when they came together to create the system of the House and the Senate, did so so that we would have equality, a balance between each of the States and their populations. This is not a balance when you have a set-aside for seven States.

Once again, I would call on all of my fellow colleagues who do not live in New York, New Jersey, Massachusetts, Connecticut, Maryland, Rhode Island, and Delaware to vote for this amendment by Ms. HERRERA BEUTLER. She has identified that this is an earmark for these States and that it robs money from other States that need assistance with public transportation.

The Acting CHAIR. The time of the gentleman has expired.

Ms. HERRERA BEUTLER. I yield the gentleman an additional 15 seconds.

Mr. TURNER. I urge my colleagues to vote for this amendment because it does correct an injustice.

Ms. HERRERA BEUTLER. Mr. Chairman, as was well said, 371 Members of the House represent people in States that will benefit from this amendment. By voting ''yes'' for this amendment, 371 Members will have an opportunity to increase access to important transit funds in their districts without raising spending levels in the bill.

Even those Members in these high-density States are not losing access to the funds. The amendment allows all 50 States to compete fairly for grant funding based on the needs of the area and the merits of the project.

How can anybody be against this? What is wrong with this?

I urge my colleagues to support the amendment.

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

Mr. DEFAZIO. Mr. Chairman, in closing, I would say that a great former Speaker of the House, Tip O'Neill, said that ''all politics is local.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. HERRERA BEUTLER).

The amendment was agreed to.

AMENDMENT NO. 58 OFFERED BY MR. CHABOT

The Acting CHAIR. It is now in order to consider amendment No. 58 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following new section:

SECTION 1431. INCREASING CERTAIN PENALTIES RELATING TO COMMERCIAL MOTOR VEHICLE SAFETY.

(a) CIVIL PENALTY.—Section 521(b)(2)(A) of title 49, United States Code, is amended by striking ''$2,500'' and inserting ''$5,000''.

(b) CRIMINAL PENALTY.—Section 521(b)(6)(A) of title 49, United States Code, is

amended by striking ''$2,500'' and inserting ''$5,000''.

(c) DISQUALIFICATIONS.—

(1) FIRST VIOLATION OR COMMITTING FELONY.—Section 31310(b)(1) of title 49, United States Code, is amended—

(A) in subparagraph (D), by striking ''; or'' and inserting a semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(F) determined by the Secretary to have operated a commercial motor vehicle that the individual knew or reasonably should have known had a defect that resulted in a fatality.''.

(2) SECOND AND MULTIPLE VIOLATIONS.—Section 31310(c)(1) of title 49, United States Code, is amended—

(A) in subparagraph (E), by striking ''; or'' and inserting a semicolon;

(B) by redesignating subparagraph (F) as subparagraph (G);

(C) in subparagraph (G) (as so redesignated)—

(i) by striking ''(E)'' and inserting ''(F)''; and

(ii) by inserting '', operations,'' after ''violations''; and

(D) by inserting after subparagraph (E) the following new subparagraph:

''(F) determined by the Secretary to have more than once operated a commercial motor vehicle that the individual knew or reasonably should have known had a defect that resulted in a fatality; or''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. Mr. Chairman, I will be brief.

All of us here have the honor to serve in the people's House, and we are here to serve our constituents—the people who send us here from all over the country—and also to serve in the best interests of our great Nation.

I had a constituent who approached me. I happened to be touring the business at which he works, and he told me something that affected me greatly.

His son was just days before his 23rd birthday. He was a student at the University of Cincinnati. He was coming down Interstate 75 in a minivan and was minding his own business. I don't know what he was thinking about, but he had his whole future ahead of him.

But a completely avoidable accident occurred. A wheel that was so rusted broke free from a big rig, and it crossed the median. It struck the vehicle he was in, and it killed him immediately, a couple of days before his 23rd birthday.

It had been a couple of years, but his father was still very emotional about this, understandably so.

We looked into this situation. We talked with a number of our colleagues and did a lot of research on it and worked with the American Trucking Association and with America's Independent Truckers' Association as well. We came up with an amendment to this particular bill that we are discussing here this evening, the transportation bill.

What the amendment would do, essentially, is stiffen the penalties for a driver who knowingly operates a commercial vehicle that has a serious defect that results in a fatal crash.

Clearly, what we are trying to do is to make the public more safe and to deal with a family that has been tragically changed forever. They lost one of the most important members of that particular family. We are trying to do this in a responsible way.

The trucking industry in this country, for the most part, is very safety conscious, and their rate of fatalities has come down. I commend them greatly for what they are trying to do, but there is a hole in the system right now.

In this particular situation, there was a rusted thing that shouldn't have been on the road. This type of thing doesn't happen all that often, but it happened this time, and it killed my constituent's son.

We have discussed this with the chairman and with staff. It is my understanding that the chairman is willing to work with us on addressing this issue of trying to make the American public safer and is willing to work with our distinguished folks on the minority side as well.

With that understanding, I am willing to withdraw my amendment here this evening and continue to work with them through the process to hopefully address this issue in a way that will receive support on both sides of the aisle so that we can pass this into law and make the public safer. It will allow this particular family, who was affected so tragically in this instance, to know that they have done something to honor their son.

I yield to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I am happy to work with the gentleman on the issue. I oppose the amendment, but I want to continue talking with the gentleman and working with him.

Mr. CHABOT. I thank the gentleman.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition, although I am not in opposition.

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

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I certainly want to work with the gentleman. I mean, this is a story that tugs at you. The gentleman brings before us an important issue. I think there is a way to get at this; so, I would love to work with the gentleman as we go to conference and see what we can do.

With the indulgence of the House, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I thank the gentleman.

Mr. Chairman, I thank Mr. SHUSTER and Mr. DEFAZIO as well for working with me and for working with the entire committee. The Transportation and Infrastructure Committee does work together in a bipartisan fashion, and the House does work.

On the other hand and in the same vein, I had the pleasure of knowing Howard Coble for my entire time I have been in Congress. I was his ranking member on Judiciary, and he was my ranking member on Judiciary.

We had a great relationship. He was one of the finest gentlemen I have ever known. He was a scholar. He was a gentleman. He loved North Carolina. He loved this House. He will be missed. He was an example of the way people can work together to make progress in the United States Congress. I was honored to know him.

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

Mr. CHABOT. Mr. Chairman, I would also like to share in the gentleman's comments about our colleague, Howard Coble of North Carolina.

He was truly a wonderful part of this distinguished institution. I served on the Judiciary Committee for the better part of 20 years with Howard Coble, and we all looked up to him. He was kind of one of a kind, and I say that in the most honorable way.

He was one we looked to. He had a sense of humor that went to your heart. He was just a great guy. He will be truly missed not only by his constituents, but by this House that he loved for so many years.

On my amendment, I have heard both the chairman and our friends on the minority side indicate they are willing to work with us on this amendment.

Mr. CHABOT. With that understanding, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

The Chair understands that amendment No. 1 printed in part A of House Report 114–326 will not be offered.

□ 1845

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 114–326 on which further proceedings were postponed, in the following order:

Amendment No. 5 by Mr. DESAULNIER of California.

Amendment No. 7 by Mr. HUNTER of California.

Amendment No. 8 by Mr. DENHAM of California.

Amendment No. 12 by Mr. KING of Iowa.

Amendment No. 14 by Mr. CULBERSON of Texas.

Amendment No. 21 by Mr. LEWIS of Georgia.

Amendment No. 26 by Mr. REICHERT of Washington.

Amendment No. 29 by Mr. DESANTIS of Florida.

The Chair will reduce to 2 minutes the minimum time for any electronic

vote on these questions after the first vote in this series.

Pursuant to clause 6(f) of rule XVIII, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the amendment consisting of the text of Rules Committee Print 114–32, as amended.

AMENDMENT NO. 5 OFFERED BY MR. DESAULNIER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 171, noes 252, not voting 10, as follows:

[Roll No. 599]

AYES—171

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crawford
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Hudson
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kline
Kuster
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Paulsen
Pearce
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sherman
Slaughter
Smith (WA)
Speier
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—252

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Crowley
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Nadler
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Perry
Peters
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (OH)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Velázquez
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—10

Calvert
Ellmers (NC)
Gohmert
Meeks
Payne
Pelosi
Sinema
Smith (MO)
Takai
Torres

□ 1912

Messrs. FARENTHOLD, CROWLEY, LAMBORN, GRAVES of Georgia, Ms. VELÁZQUEZ, and Mr. MOONEY of West Virginia changed their vote from ''aye'' to ''no.''

Mr. DANNY DAVIS of Illinois, Ms. BROWN of Florida, Mr. LANGEVIN, and Ms. CLARKE of New York changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. SINEMA. Mr. Chair, on rollcall No. 599 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 7 OFFERED BY MR. HUNTER

The Acting CHAIR (Mr. COLLINS of Georgia). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUNTER) 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 255, not voting 5, as follows:

[Roll No. 600]

AYES—173

Abraham
Allen
Amodei
Ashford
Bass
Benishek
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blum
Bonamici
Bost
Brady (TX)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Cárdenas
Carson (IN)
Carter (TX)
Cartwright
Castro (TX)
Chaffetz
Clay
Clyburn
Coffman
Cohen
Conaway
Cooper
Costa
Cramer
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
Diaz-Balart
Dold
Donovan
Duckworth
Duffy
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Franks (AZ)
Frelinghuysen
Garamendi
Gibbs
Gibson
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Green, Al
Griffith
Guthrie
Gutiérrez
Hanna
Harris
Hastings
Hensarling
Herrera Beutler
Hill
Hinojosa
Hudson
Huffman
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jolly
Jones
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
LaMalfa
Lipinski
LoBiondo
Long
Loudermilk
Luetkemeyer
Lummis
McCarthy
McKinley
McNerney
Meehan
Miller (MI)
Mooney (WV)
Murphy (FL)
Nolan
Nugent
O'Rourke
Paulsen
Payne
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Posey
Price, Tom
Quigley
Ratcliffe
Renacci
Rigell
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rouzer
Roybal-Allard
Royce
Ruppersberger
Russell
Sanchez, Loretta
Sanford
Scott, David
Serrano
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)

Smith (WA)
Stewart
Stivers
Thompson (CA)
Thornberry
Tiberi
Upton
Vargas
Veasey
Wagner
Walden
Walters, Mimi
Walz
Watson Coleman
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder

NOES—255

Adams
Aderholt
Aguilar
Amash
Babin
Barletta
Barr
Barton
Beatty
Becerra
Bera
Bishop (MI)
Black
Blackburn
Blumenauer
Boustany
Boyle, Brendan F.
Brady (PA)
Brat
Bridenstine
Brooks (AL)
Brownley (CA)
Calvert
Capps
Capuano
Carney
Carter (GA)
Castor (FL)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Cleaver
Cole
Collins (GA)
Collins (NY)
Comstock
Connolly
Conyers
Cook
Costello (PA)
Courtney
Crawford
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSantis
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Doyle, Michael F.
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Farr
Fattah
Fleming
Frankel (FL)
Fudge
Gabbard
Gallego
Garrett
Gosar
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Grijalva
Grothman
Guinta
Hahn
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Hice, Jody B.
Higgins
Himes
Holding
Honda
Hoyer
Huelskamp
Huizenga (MI)
Israel
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Knight
Kuster
Labrador
LaHood
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Love
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McSally
Meadows
Meng
Messer
Mica
Miller (FL)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nunes
Olson
Palazzo
Pallone
Palmer
Pascrell
Pearce
Pelosi
Perlmutter
Perry
Pingree
Pocan
Pompeo
Price (NC)
Rangel
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Roby
Rogers (AL)
Rogers (KY)
Roskam
Rothfus
Ruiz
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Sewell (AL)
Sherman
Shuster
Sinema
Sires
Slaughter
Smith (TX)
Speier
Stefanik
Stutzman
Swalwell (CA)
Takano
Thompson (MS)
Thompson (PA)
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Valadao
Van Hollen
Vela
Velázquez
Visclosky
Walberg
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Weber (TX)
Webster (FL)
Welch
Whitfield
Wilson (FL)
Yarmuth
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Ellmers (NC)
Foxx
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1918

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

Mr. BUCHANAN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. FOXX. Mr. Chair, on rollcall No. 600, I was unavoidably detained. Had I been present, I would have voted "yes."

AMENDMENT NO. 8 OFFERED BY MR. DENHAM

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DENHAM) 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 248, noes 180, not voting 5, as follows:

[Roll No. 601]

AYES—248

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Bucshon
Burgess
Butterfield
Byrne
Calvert
Carson (IN)
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Goodlatte
Gosar
Granger
Graves (GA)
Graves (LA)
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce
Rush
Russell
Salmon
Sanford
Scalise
Schrader
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—180

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (AL)
Brownley (CA)
Buchanan
Buck
Bustos
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Connolly
Conyers
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Gibson
Gowdy
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roskam
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schweikert
Scott (VA)
Serrano
Sewell (AL)
Sherman
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Trott

Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—5

Ellmers (NC)
Gohmert
Hartzler
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1922

Mr. RICHMOND changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 238, not voting 7, as follows:

[Roll No. 602]

AYES—188

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cramer
Crawford
Crenshaw
Culberson
Dent
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—238

Adams
Aguilar
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Emmer (MN)
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hardy
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Ros-Lehtinen
Roskam
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—7

Cárdenas
Ellmers (NC)
Engel
Gohmert
Meeks
Rokita
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1925

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CÁRDENAS. Mr. Chair, on rollcall No. 602, had I been present, I would have voted "no."

Mr. ENGEL. Mr. Chair, on rollcall No. 602 I was inadvertently detained and missed the vote. Had I been present, I would have voted "no."

AMENDMENT NO. 14 OFFERED BY MR. CULBERSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. CULBERSON) 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 116, noes 313, not voting 4, as follows:

[Roll No. 603]

AYES—116

Abraham
Aderholt
Allen
Amash
Babin
Barton
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Carter (GA)
Carter (TX)
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cuellar
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Franks (AZ)
Garrett
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Gene
Griffith
Harris
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Luetkemeyer
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
Messer
Miller (FL)
Moolenaar
Mooney (WV)
Mulvaney
Neugebauer
Nugent
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Roby
Roe (TN)
Rokita
Rooney (FL)
Rouzer
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Smith (MO)
Smith (NE)
Smith (TX)
Stutzman
Thornberry
Weber (TX)
Westmoreland
Williams
Wilson (SC)
Woodall
Yoder
Yoho
Young (IA)

NOES—313

Adams
Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Graves (LA)
Graves (MO)
Grayson
Green, Al
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Love
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Mica
Miller (MI)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Whitfield
Wilson (FL)
Wittman
Womack
Yarmuth
Young (AK)
Young (IN)
Zeldin
Zinke

NOT VOTING—4

Ellmers (NC)
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1928

Mr. ROONEY of Florida changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 21 OFFERED BY MR. LEWIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. LEWIS) 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 248, not voting 4, as follows:

[Roll No. 604]

AYES—181

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Price (NC)
Price, Tom
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—248

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Castor (FL)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cummings
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fattah
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden

Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—4

Ellmers (NC)
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1931

Ms. MAXINE WATERS of California changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 26 OFFERED BY MR. REICHERT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. REICHERT) 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 228, not voting 5, as follows:

[Roll No. 605]

AYES—200

Abraham
Aderholt
Allen
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Boustany
Brat
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (TX)
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cramer
Crawford
Crenshaw
Culberson
Denham
Dent
DeSantis
DesJarlais
Dold
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Granger
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Roskam
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—228

Adams
Aguilar
Amash
Amodei
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (GA)
Blackburn
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comstock
Connolly
Conyers
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harris
Hartzler
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Hudson
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meadows
Meehan
Meng
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Rice (SC)
Richmond
Rokita
Ros-Lehtinen
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Trott
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Williams
Wilson (FL)
Yarmuth
Yoho
Zeldin

NOT VOTING—5

Brady (TX)
Ellmers (NC)
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1935

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 29 OFFERED BY MR. DESANTIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DESANTIS) 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 118, noes 310, not voting 5, as follows:

[Roll No. 606]

AYES—118

Amash
Babin
Barton
Bishop (UT)
Black
Blackburn
Blum
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Farenthold
Fincher
Fleming
Flores
Franks (AZ)
Garrett
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffith
Grothman
Harris
Hensarling
Herrera Beutler
Hice, Jody B.
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Johnson, Sam
Jolly
Jones
Jordan
Kelly (MS)
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Luetkemeyer
Marchant
McCarthy
McCaul
McClintock
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mulvaney
Neugebauer
Nugent
Olson
Palazzo
Palmer
Perry
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Rice (SC)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Royce
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thornberry
Tipton
Wagner
Walberg
Walker
Weber (TX)
Wenstrup
Williams
Wilson (SC)
Yoho

NOES—310

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)

Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huffman
Hunter
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Brady (TX)
Ellmers (NC)
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1938

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Ms. ROS-LEHTINEN). The question is on the amendment consisting of the text of the Rules Committee Print 114–32, as amended.

The amendment was agreed to.

□ 1945

AMENDMENT NO. 1 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114–326.

Mr. PERRY. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1022, strike lines 5 through 7 and insert the following:

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended—

(1) by striking ''20 percent of such authority for each fiscal year'' and inserting ''25 percent of such authority for fiscal year 2016, 30 percent of such authority for fiscal year 2017, 35 percent of such authority for fiscal year 2018, and 40 percent of such authority for each fiscal year thereafter''; and

(2) by adding at the end the following: ''If the Bank fails to comply with the 2nd preceding sentence with respect to a fiscal year, the Bank may not approve the provision of a guarantee, insurance, or credit, or any combination thereof benefitting a single person, in an amount exceeding $100,000,000 until the beginning of the 2nd succeeding fiscal year.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Madam Chair, I yield myself such time as I may consume.

Madam Chair, the Export-Import Bank has a portfolio annually somewhere to the tune of $120 billion, I think under the new proposal; $130 billion. Fifty-one percent, Madam Chairman—fully 51 percent—goes to 10 companies in our country—$120 billion. Isn't that fantastic?

Whether you support or oppose the Ex-Im, everyone can welcome the fact that the reauthorization we are considering today raises the Bank's small-business target 25 percent. Republicans and Democrats in both the House and the Senate have called on the Bank to focus on small-business needs more effectively.

This amendment keeps that 25 percent small-business target in the underlying bill. It doesn't change that, but it would then raise the target by 5 percent per year through the reauthorization period.

Madam Chair, $120 billion a year, $130 billion a year, 51 percent goes to 10 companies in the United States. You think: Wouldn't it be great if the town that I represent, the towns that Members in this House represent, could be one of those 10 companies? It is not to disparage any of those 10 companies. We are happy that they are in the United States, and we are happy that they are profitable.

But these small businesses that are trying to get a leg up, that want to employ their neighbors and that want to enrich their communities would like a shot as well. But they don't have legions of lobbyists, and they don't have big staffs to go to the Ex-Im Bank and plead their case.

What that results in is 98 percent of small businesses, 98 percent of trade across our country, is conducted without any help at all of the Export-Import Bank. Wouldn't it be great if we could remedy that? And wouldn't it be easy if we could remedy that?

Madam Chairman, that is what the amendment that I propose does. With this amendment, Ex-Im still has the flexibility to devote most of its assistance—now 51 percent to 10 companies in the country—to large businesses. The big ones will still have the same access to Ex-Im. All this does is requires the Ex-Im to take small businesses more seriously.

Yes, it is a little more work. They don't have the lobbyists and the staff that all these big, multinational companies do. But isn't it worth it in our small towns to help them and to assist them?

We know the Bank is more than capable of doing this. In fiscal year 2014, 25 percent of its authorization went to small businesses. So the Bank easily met its target. But in the 3 years prior to that, Ex-Im ignored—literally ignored—the small-business target that Congress enacted and required of them.

Under this amendment, Ex-Im has to ensure that it meets its small-business target. It has to. If we want to help small businesses like the one in your town, the one in the towns that you represent, we have to make sure that it does that. We need to keep an ambitious target that Ex-Im can meet and encourage the Bank to reach it.

Madam Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Madam Chairman, I rise in opposition to this amendment, and I will be opposing all amendments to this portion of the highway bill.

Without a doubt, these amendments reflect the latest in a string of tactics by opponents of the Export-Import

Bank to delay and block any reauthorization of the Bank from moving forward. This amendment and other anti-Ex-Im amendments we will soon consider cannot reasonably be viewed as a constructive effort.

As we know well, small businesses unquestionably are central to the health of our economy. Fortunately, before extremists, ones on the opposite side of the aisle, shut down the Ex-Im Bank. Many small businesses were already directly supported by the programs offered by the Export-Import Bank.

In fact, in fiscal year 2014, out of over 3,700 authorizations, more than 3,300, or nearly 90 percent, directly served U.S. small businesses. Of the remaining 10 percent, many of these authorizations served companies that support vast U.S. supply chains, including in my district.

The effort to use small businesses as a pawn in the fight to kill the Ex-Im Bank should be rejected. This amendment must be rejected.

Madam Chairman, I reserve the balance of my time.

Mr. PERRY. Madam Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. MULVANEY), my good friend.

Mr. MULVANEY. I thank the gentleman. I agree with most of what the ranking member on Financial Services just said with the exception of the conclusion. Everything that the Export-Import Bank does for small businesses actually is very productive.

So here is the question: Why isn't the Export-Import Bank meeting its small-business requirement? Why hasn't it met it? For the last 3 years, it has not met its statutory requirement.

One of the things we have not talked about yet, Madam Chairman, is that the amendment also puts a penalty on the Bank for not meeting that target. Right now it is the law that the Bank has to provide a certain level of services to the small-business community. It has failed to do that. As is so often the case, there is no penalty. This amendment would add the penalty.

It helps small business, it expands the Export-Import Bank's small-business presence, and it actually puts some teeth in the law for a change. For that reason, I hope that we can support this amendment.

Ms. MAXINE WATERS of California. Madam Chairman, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the whip.

Mr. HOYER. Madam Chairman, I thank the gentlewoman. I am sorry I don't have more time.

Madam Chairman, this is a bill about jobs. The amendment is about killing jobs, as he wants to kill the Bank, the gentleman who sponsored this amendment. That is all it is. Every one of these amendments will undermine the Export-Import Bank that got 313 votes on this floor.

The gentleman mentions five businesses. What he didn't mention is the thousands and thousands and thousands and thousands of jobs that they create and maintain. That is what we are talking about: jobs for average Americans. Whether they work for large, medium, or small businesses, we are talking about jobs for Americans.

Here you are at the last minute trying to kill it. You had 2½ years to offer your amendments. You had 2½ years to bring this bill to the floor. You chose not to because the minority was going to kill this bill. I told your majority leader over and over and over again it had the majority of your party, and you refused to bring it to this floor.

Tonight is the time to say the majority rules, the 313 will rule. Reject every one of these amendments. Let's create jobs with the Export-Import Bank.

The Acting CHAIR. The Chair would remind Members that their remarks are to be directed to the Chair and not to other Members.

Mr. PERRY. Madam Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK) who serves on the Financial Services Committee and who has worked tirelessly for this reauthorization.

Mr. HECK of Washington. Madam Chair, let's begin with the facts. The facts are this: every single killing amendment being offered tonight is, in fact, being sponsored by somebody who voted against passage of the Ex-Im. They don't want to improve the Ex-Im. They want to kill the Ex-Im.

The fact is the 20 percent target in current law, with all due respect to one of the previous speakers, is not a requirement. It is a target. Stop saying requirement. Words matter. That is misleading, and it is wrong. The fact is nearly 90 percent—90 percent—of all transactions of the Ex-Im go to small businesses.

I can't help it that Jenny's Pickles, a jar thereof, sells for infinitely less than a Boeing airplane or that Manhasset music stands sell for infinitely less. The fact of the matter is 90 percent of their transactions go to small businesses.

The fact of the matter is Economics 101. Please hear me sometime: the Boeing Airplane Company has 14,800 businesses in its supply chain and 6- to 8,000 are small. Reject the amendment.

Ms. MAXINE WATERS of California. Madam Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER), who has been an absolute leader on this issue.

Mr. FINCHER. Madam Chair, I thank the gentlewoman for yielding.

Madam Chair, one more time let me talk about the facts. The facts are, as the gentleman from Washington just stated, 90 percent of the Bank's transactions go to small businesses, 3,340 transactions.

The facts are that section 201 in our reform bill that is actually reforming the Export-Import Bank takes the target—not the requirement, but the target—from 20 percent to 25 percent.

What we need to make sure that we are focused on here tonight is not punishing people that want to grow their businesses or not trying to put a cap on people that want to create jobs.

Again, I am from a little place called Frog Jump. This is not about Boeing, and this is not about GE. This is about jobs all over this country that don't cost the taxpayer one penny—not one penny—Madam Chairman.

This is just about killing the Export-Import Bank and killing jobs. It breaks my heart, but we must defeat these amendments. I urge my colleagues to vote ''no.''

Mr. PERRY. Madam Chair, the fact is that all the reforms that the kind gentleman just spoke of are not going to happen. None of that is happening. The Senate threw that in the trash.

So what we have is an Export-Import Bank that has refused to comply with the law over and over again. The fact also remains that nobody here is trying to kill the Export-Import Bank. We aren't. This is the process by which we make it better.

Whether or not you sell a jar of pickles or whether you sell an airplane, $120 billion, 51 percent of it goes to 10 companies. You figure it out. You figure out what that looks like to you. To me, it looks like cronyism. That is what it looks like to me.

I come from York, Pennsylvania, and instead of creating thousands and thousands and thousands of jobs, we would like to create tens and hundreds of thousands of jobs by requiring the Bank that is encumbering the United States taxpayer to work with small businesses, the businesses in our town, instead of just going to the big businesses in this country.

Madam Chair, I yield back the balance of my time.

Ms. MAXINE WATERS of California. Madam Chairman, I would simply say to the gentleman from Pennsylvania you figure it out. Evidently, you don't know anything about what Ex-Im does and the jobs that it provides.

Madam Chairman, I yield 15 seconds to the gentleman from Oklahoma (Mr. LUCAS), a leader with courage.

Mr. LUCAS. Madam Chair, my colleagues, I would urge you to reject this amendment and all the amendments.

This process should have happened 6 months ago. It should have happened in committee. It should have happened in regular order. But we weren't allowed to do that. We have been forced into this position.

Reject this amendment, reject these amendments, and then let's begin the process of real reform.

Ms. MAXINE WATERS of California. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

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

Mr. MULVANEY. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114–326.

Mr. MULVANEY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. RESTRICT BANK LENDING TO SERVING AS COUNTERVAILING LENDER.

(a) BAN ON PROVIDING CREDIT ASSISTANCE FOR TRANSACTION THAT DOES NOT MEET FOREIGN COMPETITION.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by adding at the end the following:

''(14) PROHIBITION ON ASSISTANCE FOR TRANSACTION THAT DOES NOT MEET FOREIGN COMPETITION.—The Bank shall not guarantee, insure, or extend (or participate in the extension of) credit involving any transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, that does not meet competition from a foreign, officially sponsored, export credit agency.''.

(b) ANNUAL CERTIFICATION THAT EACH PROVISION BY THE BANK OF CREDIT ASSISTANCE IS MADE TO MEET FOREIGN COMPETITION.—Section 8(h) of such Act (12 U.S.C. 535g(h)) is amended to read as follows:

''(h) CERTIFICATION THAT EACH PROVISION OF CREDIT ASSISTANCE IS MADE TO MEET FOREIGN COMPETITION.—The Bank shall include in its annual report to the Congress under subsection (a) a certification that—

''(1) each provision by the Bank of a loan, guarantee, or insurance, with respect to which credit assistance from the Bank was first sought after the effective date of this subsection, in the period covered by the report was made to meet competition from a foreign, officially sponsored, export credit agency; and

''(2) no such provision was made to fill market gaps that the private sector is not willing or able to meet.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

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PARLIAMENTARY INQUIRY

Mr. MULVANEY. Madam Chair, a parliamentary inquiry before you start my time.

The Acting CHAIR. The gentleman from South Carolina will state his parliamentary inquiry.

Mr. MULVANEY. Madam Chair, you state No. 2. Is that Mulvaney No. 2 or Mulvaney No. 1?

The Acting CHAIR. Amendment No. 2 printed in part B of House Report 114–326.

Mr. MULVANEY. Madam Chair, I yield myself such time as I may consume.

I have heard a couple arguments already—I guess we heard them before, Madam Chair—about how the place to do this was in committee. Fine. That could be. It doesn't make the amendments bad. It doesn't mean the principles contained in here are wrong. We didn't get a chance to do that in committee. You can blame whoever you want to for that. But the point of the matter is, this is where we are going to take up the amendments, and the fact we didn't do it 6 months ago does not make a good amendment a bad amendment. The amendments will stand on their own merit, as this one will, Madam Chair.

What this one does is fairly simple. One of the things we have heard for the last several years about the Bank is that we need the Bank in order to meet foreign competition, that 1,700 other countries have export credit facilities, and if we don't have one of our own, we will unilaterally disarm and not be able to compete in the global marketplace.

I happen to disagree with that. I happen to have some faith that American goods are good enough to compete overseas without the government subsidy. But that is fine. Let's take that for sake of discussion and say, all right, we don't want to unilaterally disarm. What this amendment does is makes sure that we don't.

What this amendment does is simply says, look, if you want to use the Export-Import Bank, you have to be able to establish that you are actually competing with a foreign export credit facility. Fairly simple. It goes to the heart of what so many people say is why we have the Bank. So why not simply say, all right, look, we will have this thing until we can convince other countries to get out of this business, which we should be doing and, by the way, are obligated by law to be doing—not by target, but by law.

We have had the responsibility to do that, Mr. Chairman, since 2012, yet this administration has refused to do that. But until we get a chance to enforce the law and actually get other countries to disarm, let's go ahead and not unilaterally disarm, and let's make sure, in order to use the Export-Import Bank, you have to be meeting specific and identifiable competition from other export credit facilities.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chair, I yield myself 1 minute.

This amendment, offered by one of the leading opponents of the Ex-Im Bank, would effectively chop the Ex-Im Bank's mission in half by eliminating the Bank's role in providing finance to fill market gaps that the private sector is unable to meet. This would overwhelmingly harm the small businesses that use the Bank and that often have the hardest time securing the financing they need through the private sector alone.

For example, when U.S. small businesses are seeking to export, commercial banks often refuse to accept foreign receivables as collateral for a loan without an Ex-Im guarantee. Without Ex-Im, these small businesses would be unable to extend terms to foreign buyers and would have to ask for cash in advance. In these cases, sales would almost always go to a firm from another country that can count on the backing of its own official export credit agency.

I urge all Members to oppose this amendment, which would undermine the Bank's important role.

I reserve the balance of my time.

Mr. MULVANEY. Mr. Chair, how much time did each of us consume in our opening statements?

The Acting CHAIR. The gentleman from South Carolina consumed 2 minutes. The gentlewoman from California consumed 1 minute.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, two quick points.

First, let's not quite leave this issue of the irregular order and nature of what we are doing. Let's all remember one thing. Not only are all the people who are advancing amendments here today opponents of the Ex-Im and want to kill it, but they also, many of them, sat in the committee and voted against an amendment to the budget views and estimates that suggested that reauthorization of the Ex-Im ought to be subjected to regular order. They have already made their position clear: no regular order. They not only don't want regular order, they don't want the Ex-Im.

No, it is not 700 and however many countries that have export credit authority; it is only 59. It is every other developed nation on the face of the Earth. The Chinese have not one, but four, export credit authorities. In the last 2 years, they financed as much as our Export-Import Bank has in its 81-year history.

Let me leave you with this one thought: I know a lot of you on that side of the aisle read The Wall Street Journal. I hope you saw the Business section 2 days ago. The headline is, ''China Rolls Out First Large Passenger Jet''—The Wall Street Journal.

I warned here about a year ago they were developing the C919. There it is. There is the picture. They also indicate in here that they have the C929, which is a double aisle, wide-body jet airplane under development.

Do you really want to strike this death blow to the heart of America's manufacturing business? Please vote ''no'' on this and all amendments.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chairman, I think it is worth once again considering how we got to this point. Considering that under regular committee order, we should have taken this bill up 6 months ago. Three months ago, many of us went from the point of pleading to demanding, pressing harder and harder to try to bring this to the focus. Ultimately, that was not the option, and we were obligated to use a rather old but important rule in order to bring this legislation to the floor.

As some of my colleagues have noted, a supermajority of the House voted for it—313 Members. A majority of the Republican Conference, a majority of the majority voted for it. Yet now we are at a point where we are rebattling all of these amendments.

If you can't win by playing by the rules, then how do you win in this place? If we defeat all of these amendments, will things mysteriously happen in the next process and we will have to fight that off? That is why I tell my colleagues: Play by the rules. Remember what we accomplished last week? Understand the real purpose of these amendments. If it was to perfect a bill, then the authors would have been working with us 6 months ago or 3 months ago or a few weeks ago, but that wasn't the option provided. So now, a second time, we have to fight our way all the way through these issues.

Please demonstrate that you care about economic competitiveness in this country. Please demonstrate that you care about workers in this country. Reject all of these amendments. Let's move the process over. Let's finish this for real.

Mr. MULVANEY. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, look, I stand behind the microphone right now, hopefully helping many of you who support the Ex-Im Bank, to help you stand behind your previous rhetoric.

If I remember, as you said, the older—was it archaic?—process that was brought last week, I noticed the rule you brought allowed me to bring my reform amendment because you were reforming the—oh, that is right. You didn't. You did not allow us to have that voice on those reforms. It was not a process. So now guess what is going on? We happen to have regular order, an opportunity to walk up and say we have some little ideas that we believe make the institution better.

To my friend over on the left, okay, 59 credit enhancement, surety enhancement organizations. All this amendment does is it says, if you are competing against someone who is using another country's credit enhancement, you get to use ours. Isn't that what you are asking for reformwise?

If you want to level the playing field, what a great idea. If they are using it, we get to use it. If they are not using it, we don't have to. That is reform, and that matches up with the rhetoric I was hearing around here last week of how you were reforming the institution.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chairman, I thank the ranking member.

Again, we continue to make these great speeches and get all wound up, but we don't talk about the facts. The facts are that Bank customers already have to certify. The facts are that all of the people offering the amendments want to kill the Export-Import Bank, which creates thousands of jobs. The facts are that we could have done this in committee a year ago. The facts are none of us wanted to be here tonight having this debate because we wanted to do this in regular order.

But, Mr. Chairman, the facts are that, if we allow these amendments that are just aimed at killing the Export-Import Bank to pass and thousands of people are going to lose their jobs and our competitors all around the world are going to benefit, we must vote ''no.'' We need to defeat this amendment. I appreciate my buddy from South Carolina offering it, but I just think it is in the wrong order, and we need to defeat it.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield back the balance of my time.

Mr. MULVANEY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. JENKINS of West Virginia). The gentleman from South Carolina has 1½ minutes remaining.

Mr. MULVANEY. Mr. Chairman, let's look at the facts. Yes, the Bank is required right now to look at this. They are not required to actually consider it. In fact, there are examples, factual examples, of the Bank looking into whether or not there were any countervailing efforts done by foreign credit facilities and just ignoring that. Yes, the law does require them to, but there are no teeth in the law. This amendment would allow us to do that.

Another fact: in 2012, this body required the Export-Import Bank to start getting out of the business of competing with Export-Import Banks overseas in the airline industry. The law signed here, signed by the Senate, signed by the President was completely ignored by this administration. This amendment would fix that.

Those are the facts, Mr. Chairman, from my friend from Tennessee. The facts are the administration is not following the law.

We have seen that from time to time, haven't we?

We have a chance to rectify that here this afternoon, Mr. Chairman, by passing this amendment and focusing the Bank on what everybody seems to agree is a very important core duty of competing with export credit facilities overseas, and I would recommend an approval of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. 95004. CERTIFICATION THAT BANK ASSISTANCE DOES NOT COMPETE WITH THE PRIVATE SECTOR.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

''(1) RECIPIENTS OF BANK ASSISTANCE FOR A TRANSACTION OF MORE THAN $10,000,000 REQUIRED TO CERTIFY INABILITY TO OBTAIN CREDIT ELSEWHERE.—The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit, in connection with a transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, of more than $10,000,000, to a person, unless the person has—

''(1) certified to the Bank that the person has sought, and has been unable to obtain, private sector financing for the transaction without any Federal Government support; and

''(2) provided the Bank with documentation that at least 2 private financial institutions have declined to provide financing for the transaction.''.

SEC. 95005. FALSE CLAIMS ACT PROVISIONS.

(a) APPLICABILITY OF FALSE CLAIMS PROVISIONS TO EXPORT-IMPORT BANK TRANSACTIONS.—Section 3729(a) of title 31, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4);

(2) by inserting after paragraph (2) the following:

''(3) ADDITIONAL VIOLATIONS.—Any person who—

''(A) receives a loan or guarantee from the Export Import Bank of the United States for the purposes of supporting a project or venture, without conducting reasonable diligence to determine whether private sector financing would have been available to support the project or venture, whether or not the terms of the private sector financing would have been substantially different from the terms of the financing provided by the Export Import Bank of the United States; or

''(B) receives a loan or guarantee from the Export Import Bank of the United States for the purposes of supporting a project or venture, knowing that private sector financing

would have been available to support the project or venture, whether or not the terms of the private sector financing would have been substantially different from financing provided by the Export Import Bank of the United States,

is liable to the United States Government for the face value or the appraised value of the loan or guarantee, whichever amount is greater.''; and

(3) in paragraph (2)(A), by striking ''the violation of this subsection'' and inserting ''a violation under paragraph (1)''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to acts described in paragraph (3) of section 3729(a) of title 31, United States Code, as added by subsection (a)(2) of this section, that are committed on or after the date of the enactment of this Act.

SEC. 95006. STATUTORY REQUIREMENT FOR EXPORT-IMPORT BANK CONTRACTS.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by sections 95001 and 95004 of this Act, is amended by adding at the end the following:

''(m) EFFECTS OF FINDING BY INSPECTOR GENERAL THAT CONTRACT RECIPIENT MADE INACCURATE REPRESENTATION ABOUT AVAILABILITY OF COMPETING FOREIGN FINANCING OR PRIVATE SECTOR FINANCING.—

''(1) RESCISSION OF CONTRACT.—The Bank may not enter into a contract under which the Bank provides a loan or guarantee, unless the contract provides that, if the Inspector General of the Bank determines that a representation made by the recipient of the loan or guarantee about the availability of competing foreign export financing or private sector financing was inaccurate at the time the representation was made—

''(A) the contract shall be considered rescinded; and

''(B) the recipient shall immediately repay to the Bank an amount equal to—

''(i) in the case of a loan, the amount of the loan; or

''(ii) in the case of a guarantee, an amount equal to the appraised value of the guarantee.

''(2) INELIGIBILITY FOR FUTURE FINANCIAL SUPPORT.—A person whose contract is rescinded under paragraph (1) shall not be eligible for any financial support from the Bank.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Chairman, I rise today in support of private lenders crowded out by the Export-Import Bank.

I thank my friend from South Carolina (Mr. MULVANEY) for his work reforming the Export-Import Bank and for introducing this particularly important reform.

This amendment is pro-American, pro-jobs, and is entirely consistent with the policy of Ex-Im's lapsed authorization.

Last year, Mr. Chairman, and earlier this year, I worked in good faith to reform the Export-Import Bank. The Bank's authorization lapsed in large part because the White House and the Bank's proponents would not take yes for an answer. They refused to work with us on changes, just like they are again tonight, that would prevent any single business from dominating the Bank's activity or to prevent the Bank from crowding out private lenders. That latter point is the one that this amendment will address.

This amendment requires loan applicants receiving more than $10 million to certify that they had originally sought out and been denied by two private lenders. This requirement doesn't block anyone from getting a loan. It only requires that they go to traditional banks first.

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This provision is similar to one required for some Small Business Administration financing as well.

Mr. Chairman, one of my central objections to government lending programs is their capacity to destroy and replace private markets. The government inevitably misallocates resources and jobs, ultimately making our industries less competitive and reducing jobs in the long term.

Apparently, the authors of the Bank's prior reauthorization also agree to that point because, according to the Ex-Im's charter, it is ''the policy of the United States that the Bank in the exercise of its functions should supplement and encourage and not compete with private capital.'' Let me emphasize that last part, that the Bank should not compete with private capital. Unfortunately, I have heard from lenders in Indiana who say that, absent Ex-Im, they would be financing more exports.

If the Bank is going to exist at all, the role of the Bank should only be as a lender of last resort. The Bank is only intended to fill gaps in the private lending market. Any larger role the Bank plays is a violation of its own charter. Worse, granting the Bank a larger role would exacerbate market distortions that will, ultimately, fail countries and the businesses that rely on them.

This amendment simply ensures that the Export-Import Bank stays within its bounds. If the Bank is truly a lender of last resort, this amendment will not affect its lending. If it is, in fact, competing with private lenders despite clear congressional intent, then this amendment will start to correct the problem.

Mr. Chairman, the world is watching. Developing countries are deciding whether to pursue American-style capitalism or Chinese-style central planning. As Speaker RYAN put it last week on this House floor, we should be exporting democratic capitalism, not crony capitalism. If this Bank is going to be reauthorized, we should at least make a real effort to let private lenders have the first opportunity to finance exports.

I know that many of Ex-Im's proponents agree that the Bank is not a long-term solution to foreign competition. Even Ex-Im Chair Fred Hochberg agrees, telling us earlier this year in committee that, in a perfect world, there would be no export credit agency of the United States. If our priority is long-term economic growth and employment, then we must not be tempted to rely on central planned exports the way that China and Europe do.

Mr. Chairman, this is a commonsense amendment, and I ask my colleagues to support it.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself 1 minute.

This amendment offered by the gentleman from South Carolina is yet another attempt to undermine the reauthorization of the Ex-Im Bank by requiring multiple denials of assistance from the private sector be provided as a precondition of obtaining financing. The Ex-Im Bank would not exist if they had to go before someone and require that they look at their application 10 times, 15 times.

This would be burdensome. It would be time consuming and, more likely, unworkable for the potential uses of the Ex-Im Bank. The fact is that private sector banks don't generally issue letters of rejection, likely making compliance with the amendment impossible.

I also take issue with the provisions included in the amendment that are designed to intimidate potential users of the Bank who would be liable if they were found to have not adequately determined whether private sector financing may have been available to them.

I urge Members to oppose this amendment, which would impose new restrictions on U.S. businesses alone, putting them at a unique disadvantage.

I reserve the balance of my time.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, of all of the arguments against the Export-Import Bank, this is my favorite. Ayn Rand would be thrilled. I am appalled. Of all of the arguments, private lenders will be crowded out. Private lenders will be displaced. Private lenders: ''Woe is me. You are taking away our business.''

Yet no one ever—not once—has answered the question: Why is it then that the American Bankers Association and the Independent Community Bankers Association are among the strongest supporters of this? It is because—and the truth of the matter is—markets aren't perfect, and they don't work in certain circumstances.

Where don't they work? They don't work with low-cost items: Miss Jenny's

Pickles, Manhasset Music Stands, PEXCO's Traffic Cones.

Why? It is because a small bank doesn't have the wherewithal to collect across an international border, and a big bank isn't going to bother with that low volume of a transaction. A big bank isn't going to bother with Miss Jenny's Pickles or with Manhasset Music Stands. It is not worth it to them.

That is why they see that markets aren't perfect. There are certain instances in which they fail, and that is why they support the reauthorization of the Export-Import Bank.

We, actually, ought to be very proud of them. Sometimes it is used as a point of criticism. ''You know they only finance 1 or 2 percent. Who needs them? It is such a small amount.'' You ought to take that as a point of pride. We are laser-focused on exactly where the need is—where the market isn't perfect. We are not subsidizing. We are, in fact, compensating for an imperfect market.

Perhaps it is China that is subsidizing with their four export credit authorities, which, again, in the aggregate, have loaned more in the last 2 years or have financed more than we have in our 81-year history.

We are laser-focused where the market doesn't exactly work—small cost items. Large-lived capital items, that is the other issue. Who is going to collect across an international border?

I urge you to vote ''no'' because the private sector wants you to vote ''no.''

Mr. MULVANEY. Mr. Chairman, I inquire as to the time remaining.

The Acting CHAIR. The gentleman from South Carolina has 1 minute remaining.

Mr. MULVANEY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. I thank the gentleman.

Mr. Chairman, as a rank-and-file Member—that is, a Member who is not on the Financial Services Committee—I want to stand in strong support of this amendment. There are a lot of us who are looking for a way forward in this, and this reform would allow that to happen.

We don't know whether the private sector would work or not, because those who are seeking lending aren't forced to ask. I find it laughable that some say this would be too onerous on a bank or on someone who is seeking lending. These are the same people who think that Dodd-Frank regulations are okay, that they aren't too onerous. I think that is ridiculous.

Last week, we were afforded the choice of an unreformed Ex-Im Bank or no Ex-Im Bank. This amendment and the ones being brought up tonight that are like it offer us a third way: commonsense reforms that would allow the private sector to work and then would allow the Ex-Im Bank to be a function of last resort, preserving the jobs that we all care about. No one on this floor, Republican or Democrat, wants to kill a job. That is ridiculous.

So, as a rank-and-file Member who is off committee, I stand in support of the Mulvaney amendment, and I ask for its support.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I thank the ranking member for yielding.

Mr. Chairman, I just want to address a statement that was made a little earlier from my friend from Indiana.

He quoted the chairman and said that, in a perfect world, we would not need Ex-Im. I agree. In a perfect world, we wouldn't need nuclear weapons. In a perfect world, nobody would have nuclear weapons, but nobody in this Chamber is suggesting that we unilaterally disarm our nuclear weapons in order to live by the politics of purity.

I had dinner the other day with a friend of mine who has a manufacturing company. It is a small manufacturing company. They export drilling components to Third World countries to help them drill for their own energy resources. He informed me that he has actually lost 15 percent of his business since this charter has expired. That is real money. That is real exporting. That is a real situation that affects real people's lives.

Look, I understand that people want to amend this, and I think they have a right to desire to amend this. The place to amend this would have been in the committee, which I am not on by the way. It would have been an opportunity to have amended it and to have had a full debate and to have brought the amended bill to the floor of the House of Representatives to debate. That didn't happen.

I urge my colleagues to vote against this.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I thank the ranking member.

Mr. Chairman, I will just simply ask my colleagues: Why did we get to this point? Why should we vote against this amendment? Why should we vote against all 10 amendments?

It is because, 100 years ago, our friends—our predecessors—set up a system so that, if a Speaker or a chairman thwarted the will of the body, there would be a way for the membership to bring it forward and pass it; but the system had to be created so streamlined that that same force or forces working to prevent the body from working its will could not overcome it.

Last week, we demonstrated that rule worked. Unfortunately, today, we are demonstrating they didn't quite think everything through, because we are revoting or we are voting on 10 issues on a subject matter that was solved last week.

My colleagues, if you enjoy being here this evening, if you enjoy listening to this debate all over again, I am sorry. The proponents didn't do this. We thought we had won by playing fair and square last week. Furthermore, we would have loved this debate 6 months ago.

Ms. MAXINE WATERS of California. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

Ms. MAXINE WATERS of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. PROHIBITION ON SUPPORT TO CERTAIN ENTERPRISES IN COUNTRIES WITH SOVEREIGN WEALTH FUNDS OVER $100,000,000,000.

Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended by adding at the end the following:

''(14) PROHIBITION ON SUPPORT TO CERTAIN ENTERPRISES IN COUNTRIES WITH SOVEREIGN WEALTH FUNDS OVER $100,000,000,000.—

''(A) IN GENERAL.—The Bank shall not guarantee or extend (or participate in an extension of) credit in connection with a transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, with a foreign company (or joint venture including a foreign company) that benefits from support from a foreign government if the foreign government has 1 or more sovereign wealth funds with an aggregate value of at least $100,000,000,000.

''(B) SOVEREIGN WEALTH FUND DEFINED.—In clause (i), the term 'sovereign wealth fund' means, with respect to a government, an investment fund owned by the government, excluding foreign currency reserve assets, any asset held by a central bank for the execution of monetary policy, and any government-managed pension fund.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

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

Before I go on to the next amendment, I want to very briefly put a closing point on the last discussion in responding to the gentleman from Washington (Mr. HECK).

Of course, the bankers love this. What does a banker love any less than a guaranteed loan?

As for Miss Jenny's Pickles that we have heard about many, many times, I will point out to everybody that the last amendment was limited to loans that were greater than $10 million, not really, really small businesses. Those are exactly the type of private sector market loans we are looking for.

In fact, if I wanted to sum up in one sentence as to why you should support the last amendment, it would be: Can't we at least, maybe, give the private sector a chance first on loans of this size?

There is another opportunity to do that now, Mr. Chairman, on this next amendment, which would prohibit the Export-Import Bank from doing any business with companies that are owned or have other ties to sovereign wealth funds in excess of $100 billion.

I will give you a classic example of how the Export-Import Bank is being used right now.

The Government of Indonesia was seeking bids for a power plant. One of the American manufacturers was in the bidding, and the bid request came in as follows and said that the buyer shall finance the project by using 30 percent equity and 70 percent debt. An export credit agency shall cover at least 50 percent of the debt financing. Bidders shall propose a prospective lender who will cover the loan without guarantee from the Government of Indonesia and without collateral.

What was this, Mr. Chairman?

This was a foreign government saying: We would like to buy your stuff, and if we don't pay you, we would like your taxpayers to be on the hook.

That is exactly what this is, and that is why so many of these international requests for proposals have exactly that requirement in it. These foreign governments don't want to be responsible if they can't pay. They want this government to be responsible if they can't pay, and that means they want our taxpayers to be responsible if they can't pay.

We figured let's go ahead and let that be, Mr. Chairman, for a little bit; but if you have a sovereign wealth fund in excess of $100 billion, then maybe you should be on the hook. Maybe our taxpayers should not be. Maybe you are big enough to actually guarantee your own debts. It seems like a fairly reasonable thing that we should be sitting here, trying to figure out ways to protect the taxpayer. So I encourage folks to support this particular amendment.

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

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Ms. MAXINE WATERS of California. Mr. Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chair, I yield myself 1 minute.

Mr. Chair, I rise in opposition to yet another poison pill amendment offered by the gentleman from South Carolina. The amendment seeks to create an odd linkage between the world's sovereign wealth funds and the provision of export credit financing.

Given the fact that, even if these funds involve themselves a great deal in the provision of export financing, which I understand they do not, I would assume they would be more interested in financing their own country's exports and not the exports of American goods and services.

In any event, I want to be very clear about one thing. The purpose of the U.S. Export-Import Bank is to support American jobs by boosting U.S. exports. The Bank exists to serve American interests. So when we withhold financing from the potential foreign purchaser of a U.S. product or service, we are only hurting ourselves.

This is not a serious amendment. I urge Members to oppose it.

I reserve the balance of my time.

Mr. MULVANEY. Mr. Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE), who serves on the Financial Services Committee.

Ms. MOORE. Mr. Chair, I, too, oppose this amendment. This amendment incorrectly presumes that sovereign wealth funds have some special linkage to export financing. Sovereign wealth funds do not have a direct link to export credit financing.

The gentleman is certainly thinking about one of his favorite companies, Delta, who complains about the Export-Import Bank while ignoring the OECD and existing mechanisms established to address this, for example, the Open Skies laws. I repeat. Sovereign wealth funds do not have a direct link to export credit financing.

I agree with the gentlewoman from California that this cannot be taken seriously. I urge Members to oppose it.

Mr. MULVANEY. Mr. Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chair, let's remind everybody that it has been asserted here that you would pass this amendment to protect taxpayers, and the exact opposite is the truth.

The truth is, for a generation, the Export-Import Bank has transferred money into the U.S. Treasury to reduce the deficit. If you want to reduce the deficit, vote ''no'' on this amendment.

It has also been suggested that these amendments somehow constitute reform as opposed to the underlying bill. It is not true. This is the biggest package of reforms ever enacted for Ex-Im.

It does the following: increases small-business target from 20 to 25 percent, codifies the chief risk officer and the risk management committee, provides and requires external audits of fraud controls, provides for upgrades and modernization of IT long overdue, expands loss reserves to 5 percent, reduces exposure of the portfolio from $140 billion to $135. Lastly, it has a pilot program for a reinsurance program shifted to the private sector.

This is a reform bill without these amendments. These amendments are designed to kill the bill. Vote ''no'' on the bill. Vote for reform. Vote ''no'' on the amendments.

Mr. MULVANEY. Mr. Chair, I inquire as to the amount of time remaining.

The Acting CHAIR. The gentleman from South Carolina has 3 minutes remaining. The gentlewoman from California has 2 minutes remaining.

Mr. MULVANEY. Mr. Chair, I yield 1 minute to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Mr. Chair, regarding reforms, looking at the underlying legislation that we dealt with last week, those reforms either already existed, have been in place and been ignored by the Ex-Im Bank—we have been waiting several years since the last time I voted against the Ex-Im Bank for these reforms, and they don't do it; they have been ignored—or it is ignorance or malfeasance regarding traditional or standard business or Bank practices.

I stand in favor of this amendment because this proposal would prevent the Ex-Im Bank from providing financing to any foreign company or joint venture that benefits from government support when that joint venture's country also has a sovereign wealth fund over $100 billion. Why in the world would we want to subsidize a joint venture that has or could have state backing from its own country?

Now, if we enacted this reform for fiscal year 2014, applying this provision would have resulted in an estimated reduction of approximately $3.1 billion or only 15 percent of the Bank's total authorizations, far from killing it, but, again, allowing a needed reform that isn't in the underlying legislation we dealt with this week.

I urge support for this amendment.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chair, again, I know great public speeches, but this is the biggest package of reforms since President Reagan.

The Bank actually returns on an average of $500 million to $1 billion to the Treasury every year. It is not costing the taxpayer a dime.

These are a few companies: Abro Industries, South Bend, Indiana; Auburn Leather Company, Auburn, Kentucky; Metropolitan Air Technology, Chicago, Illinois; Advanced Protection Technologies, Clearwater, Florida. Several companies, Mr. Chair, that will not be in business if we kill the Export-Import Bank. All you hear from the opposition are excuses, trying to kill the Export-Import Bank.

It is a shame when the facts don't matter, Mr. Chairman, but the facts are this doesn't cost the taxpayers. The facts are we are doing more to reform

the Bank than has been done in 40 years. This is a Republican reform package. Let's put the politics aside here and do what is best for our constituents, the folks back home.

Mr. MULVANEY. Mr. Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chair, once again, let's turn this amendment down. Let's turn back all of these amendments.

If anything, this amendment appears to try to fix the problem that one company has in one sector in one region of the world. Some people might define that as crony capitalism. Others might even call it an earmark.

Let's turn it back. Let's turn all these back. Let's get on with our business. I'm sorry we have to go through this this evening.

Mr. MULVANEY. I yield 1 minute to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chair, to my friend from Tennessee, let's do the facts. Simple amendment because, without it, you have all decided to subsidize the uber-wealthy in the world.

Think about it. You have made a decision to use our import credit facility, our constituents' credit, to subsidize great wealth around the world. That is what you have decided to do here.

I thought there was a battle here between the right and the left and the left always said, ''We are for the little guy.'' Here is your chance.

If you want just some basic reforms that—are you thrilled with the concept of a sovereign wealth fund coming out of Indonesia? Malaysia? Others? We are going to guarantee the loan instruments on the back of our taxpayers.

Come on. At some point, the argument is absurd saying: Well, you had a chance to do this last week. No, we didn't. You chose to do a closed rule. You did. You had every opportunity to do an open rule and give us the chance to put these actual reforms in.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 30 seconds to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chair, obviously, they don't get what a sovereign wealth fund is. It just is a balance of payments between countries, and I think that it is a dilatory argument.

Mr. MULVANEY. Mr. Chair, I yield myself the balance of my time.

I have heard three arguments, Mr. Chairman, that somehow this is a convoluted linkage. No, it is not. It is pretty straightforward. The Bank shall not guarantee or extend credit in connection with a transaction with a foreign company or joint venture, including a foreign company, that benefits from support from a foreign government if the foreign government has a sovereign wealth fund with an aggregate value of at least $100 billion.

I have no idea how that is convoluted, Mr. Chairman. That is about as straightforward as you get. If you are involved in a sovereign wealth fund, you don't get taxpayer money.

The other thing I heard is that this is to protect one customer, one client. That is absurd. This is designed to protect 150 million American taxpayers.

The last thing I heard was this is not serious. Yes, it is. Anytime we have the opportunity to put American taxpayers in front of foreign taxpayers, I think that would be very serious.

I would encourage the support of this amendment.

I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, this desperate attempt by my friends on the opposite side of the aisle, this last-minute attempt to try and kill Ex-Im, is laughable.

I am asking all of the Members of this House to simply see it for what it is and vote against it. Vote ''no'' on these amendments and this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

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

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

AMENDMENT NO. 5 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. SATISFACTION OF OBLIGATIONS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) ELIMINATION OF AUTHORITY TO ISSUE OBLIGATIONS TO THE SECRETARY OF THE TREASURY.—Section 5 of the Export-Import Bank Act of 1945 (12 U.S.C. 635d) is repealed.

(b) REQUIREMENT THAT THE EXPORT-IMPORT BANK OF THE UNITED STATES COVER ALL ITS LOSSES.—

(1) IN GENERAL.—Section 2 of Public Law 90-390 (12 U.S.C. 635k) is amended—

(A) by striking ''the first $100,000,000 of such losses shall be borne by the Bank; the second $100,000,000 of such losses shall be borne by the Secretary of the Treasury; and any losses in excess thereof'' and inserting ''all losses''; and

(B) by striking the 2nd and 3rd sentences.

(2) CONFORMING REPEAL.—Section 3 of Public Law 90-390 (12 U.S.C. 635l) is repealed.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this one is fairly simple. We have heard now for the last half-hour or so how much money the Treasury gets from the Export-Import Bank, how profitable the Export-Import Bank is for the American taxpayer. Okay. That is great.

Then, let's get rid of the connection between the Export-Import Bank and the guarantee that the Treasury gives to it. Let's let the Export-Import Bank rise and fall on its own economics and its own balance sheet and not put the taxpayer on the hook.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, I rise in strident opposition to this amendment. I think that this amendment really tells the story that they really are trying to destroy the Export-Import Bank as opposed to reform it. How can you deny borrowing authority to a lending institution and say you are serious about having it stay alive?

The Bank has done a fantastic job of managing risk by keeping its overall debt rate below one quarter of 1 percent, far better than most private banks, in fact.

The Export-Import Bank reauthorization already includes the creation of a permanent chief risk officer role, establishing a risk management committee, enhancing the Bank's loan loss reserves, among other reforms.

The underlying bill makes the Bank safer and better run than before, making this amendment transparently unnecessary.

Members should oppose this anti-Ex-Im amendment.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 2 minutes to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chair, to the gentlewoman's comments, this does show an attempt to kill the Bank.

When we go back home to our districts, a lot of times we are on the tail end of jokes, being Congressmen and Congresswomen, and sometimes they talk about us being a little slow.

So let me go over the facts one more time for the gentleman from South Carolina. The Bank doesn't cost the taxpayer a penny. We are doing more in the way of reforms than since President Reagan. It returns $500 million to $1 billion a year back to the Treasury.

Now, I know that they have taken the position to kill the Bank, but this kills jobs. This is about jobs in Tennessee, jobs in California, jobs in Oklahoma, jobs in Illinois.

This is not a level playing field. China, Russia, and all of these other countries are just hoping that we make the mistake and we don't reauthorize the charter of the Export-Import Bank.

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Let's be responsible adults. Let's not play politics as usual and worry about these outside groups and our political scores, Mr. Chairman. Isn't it sad that we would worry about some score with an outside group more than our districts and more than our constituents that have jobs because of the Export-Import Bank? We should be ashamed of ourselves.

I again urge my colleagues to vote ''no'' on all these amendments, and let's get to the serious business of the people's House.

Mr. MULVANEY. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Chairman, I rise in strong support of Mr. MULVANEY's amendment to shield taxpayers from bailing out the Export-Import Bank.

I have been here for this debate over the last 45 minutes, and I have heard my good friend from Frog Jump, Tennessee, comment, and I think he said the Export-Import Bank doesn't cost taxpayers one penny, okay? That was the quote, doesn't cost one penny. But what this amendment does is guarantee that the Export-Import Bank won't cost the taxpayer one penny because the taxpayer is not going to be on the hook. But then I just heard my good friend from Tennessee say, if we pass this amendment, it is going to kill the Bank.

You can't have it both ways. Either it kills the Bank if you don't have a backstop because it costs the taxpayers money, or it doesn't cost the taxpayers any money and this amendment won't kill the Bank. But you can't have it both ways. It does not work that way.

Listen, this makes sense. The Export-Import Bank helps the 10 largest businesses in America. Why are moms and dads and families in Wausau, Wisconsin, or Hayward, Wisconsin, Frog Jump, Tennessee, the suburbs of Chicago, or rural Oklahoma, who make $50,000, $60,000—maybe a little more in the Chicago suburbs—why are they the backstop for these biggest corporations?

That shouldn't be the way it is. So let's take the backstop of that taxpayer, those American families, let's take them off the hook. As the author of the amendment said, let's let the Bank stand on their own. Let them make that guarantee on their own.

In our communities, our banks make loans to small businesses every single day. I know the gentlewoman from Wisconsin knows that. There is not a taxpayer backstop to those loans. If they don't pay those loans back, the bank loses. Why are the biggest corporations getting the backstop of the American taxpayer? This one makes sense. This one makes sense.

Let's all stand together and say the American taxpayer, the American family is not going to back up the biggest banks. Let's get away from the crony capitalism. It is not going to kill the Bank. It is a good amendment. This is the place and the time for reform. Maybe it should have happened 6 months ago, but with regular order, it gets to happen today. Let's stand together for American families and against crony capitalism.

Ms. MAXINE WATERS of California. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Chairman, it is interesting in these great conversations, good debate, nobody has said that this doesn't make money for the taxpayers. They try to make the link and everything else, and that is fine.

My friend from Wisconsin just said, well, if this amendment kills the Bank, it is because, et cetera, et cetera. This amendment is aimed to kill the Bank because it is a poison pill amendment on Ex-Im. That is what all these amendments are. They are attempting a last-ditch effort to destroy something that has really, frankly, provided a lot of jobs in my district and provided a lot of exports from my district.

We talk about protecting taxpayers. Protecting taxpayers from what, an extra $500 million? Are we protecting them from a smaller deficit? It doesn't make sense. I am not sure why certain folks have made this the hill to die on. There are a lot of better hills to die on, to fight, to argue in this.

I will tell you a quick story. I went to Ethiopia 6 months ago or so. I flew to Ethiopia on a Boeing Dreamliner. Now, I know a lot of people like to call out names of big companies, but I didn't go to Ethiopia on Ethiopian Airlines on an Airbus. The fact that I was on a Boeing Dreamliner means that the parts and components are made in my district for that Dreamliner, which means there are people who have a job because Ethiopian Airlines bought a Boeing.

Let's kill this amendment and save the Bank.

Mr. MULVANEY. Mr. Chairman, how much time is remaining on my side?

The Acting CHAIR. The gentleman from South Carolina has 2 minutes remaining.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time to close.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself the balance of my time.

I have listened carefully to the arguments that are being made on the opposite side of the aisle, and I listened carefully to Mr. DUFFY. Evidently, he does not know or does not understand that those big corporations that he talked about are hiring small businesses in his district. He does not understand that these are the suppliers to these big companies. These are the families who are benefiting from the jobs and the contracts that they have been able to get.

Evidently, listening to my friends on the opposite side of the aisle, they really don't understand the Ex-Im Bank. They really don't understand its support for our ability to export, thus creating jobs.

While on the one hand they talk about how great our country is and how competitive we are, how competitive we need to be, they don't understand that, just as Mr. FINCHER said, other countries such as China are just hoping that we cannot reopen this Bank. They are just hoping that we will not support our exporters, because they are going to support their exporters 100 percent.

If you care about jobs, if you care about contracts, if you care about small businesses, you would not be opposing this Bank. As a matter of fact, there are those who would say: I am surprised that MAXINE WATERS is such an advocate for the Ex-Im Bank; we did not expect her to be. But I want you to know, I have worked with the Chamber of Commerce. I have held meetings in my district.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. MULVANEY. Mr. Chairman, a couple different things. I am a little surprised, Mr. Chairman, to hear some of the advocates here today because some of them, including the most recent speaker, were actually against the Bank when there was a different party in charge of the White House.

I hear today that this is supposedly about jobs, jobs being created. By the way, that is a claim that not even the Export-Import Bank makes on its own. It has never come into our committee and said, ''We create jobs.'' It comes into our committee and says, ''We support jobs.'' We are not really sure what that means. We have asked them. They are not really sure how to count it. In fact, there is really good evidence that they are counting it wrong.

Let's say for the sake of argument, Mr. Chairman, that they do create jobs. They also destroy jobs. Every time the government gets involved in the market and creates jobs someplace, they destroy it someplace else. It is just much harder to see. So it is very difficult for us to say: Look, this job was destroyed by the Export-Import Bank.

But I will tell you this, my local banks in rural South Carolina can't go to the Treasury and borrow money for free every time they want to. If they could, they might be able to create some more jobs as well.

We have a distortion to the market, Mr. Chairman, plain and simple. That is all this is. Are there going to be winners? Absolutely. There is a lot of them, as a matter of fact. In fact, you

can go buy stock in some of them if you want to. Are there losers? Absolutely. You will never see them. You will never see them. They are in Union County, South Carolina, maybe. I don't know because we will never see the jobs that are not created because of the distortion created by the Bank.

We have a tremendous opportunity not to kill the Bank. If the Bank really is as profitable as you say it is, this should be fine.

By the way, the gentleman from Illinois (Mr. KINZINGER) has left and said that no one is getting up to say the Bank doesn't make money. Here I am. The Bank doesn't make money. First of all, if you made it count right, it wouldn't make any money. But, in my lifetime, we have had to bail this institution out to the tune of billions of dollars. How soon we forget those types of things, Mr. Chairman.

We are going to pass this amendment. It is not designed to kill the Bank. It is designed to get the taxpayers off the hook in case the Bank makes the same mistakes today that it has made in the past.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

Ms. MAXINE WATERS of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 6 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. STRENGTHENING PORTFOLIO DIVERSIFICATION AND RISK MANAGEMENT.

(a) LIMITATIONS ON SECTORAL CREDIT EXPOSURE OF THE BANK.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

''(1) LIMITATIONS ON SECTORAL CREDIT EXPOSURE OF THE BANK.—

''(1) IN GENERAL.—The Bank shall not guarantee, insure, or extend (participate in the extension of) credit in connection with a transaction in a single industrial sector if the provision of the guarantee, insurance, or credit would result in the total credit exposure of the Bank in the sector being more than 20 percent of the total credit exposure of the Bank.

''(2) EFFECT OF EXCESSIVE SECTORAL CREDIT EXPOSURE.—If, as of the end of a fiscal year, the credit exposure of the Bank in a single industrial sector exceeds the limit specified in paragraph (1), the Bank may not guarantee, insure, or extend (participate in the extension of) credit in connection with a transaction in the sector until the President of the Bank reports to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that, as of the end of the calendar month preceding the month in which the report is made, the credit exposure of the Bank in the sector does not exceed the limit.''.

(b) LIMITATIONS ON BANK ASSISTANCE BENEFITTING A SINGLE PERSON.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act and subsection (a) of this section, is amended by adding at the end the following:

''(m) LIMITATIONS ON BANK ASSISTANCE BENEFITTING A SINGLE PERSON.—

''(1) IN GENERAL.—The Bank shall not guarantee, insure, or extend (participate in the extension of) credit in a fiscal year if the provision of the guarantee, insurance, or credit would result in a single person benefitting from more than 10 percent of the total dollar amount of credit assistance provided by the Bank in the fiscal year.

''(2) EFFECT OF EXCESSIVE BENEFIT FOR A SINGLE EXPORTER.—If, in a fiscal year, a person has benefitted from more than 10 percent of the total dollar amount of credit assistance provided by the Bank in the fiscal year, the Bank may not guarantee, insure, or extend (participate in the extension of) credit so as to benefit the person until the beginning of the 2nd succeeding fiscal year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

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

Mr. Chairman, I was on a working group last year under the auspices of the chairman of the Committee on Financial Services with, amongst other people, the good gentleman from Tennessee (Mr. FINCHER), who has now left us for dinner. No, there he is. One of the things that the opponents and proponents of the Bank could all agree on was the fact that the Bank was poorly run when it came to managing its risk. Specifically, it has what bankers call market concentration. It puts too many of its eggs in one basket. In fact, one particular industry, aircraft and avionics, takes up almost 30 percent of the Bank's portfolio.

We had a banker on that committee who worked with us. He said no self-respecting private sector bank would ever allow that to happen. That is simply bad management. It is not credible management. It is not responsible management to the shareholders. The bad news here, of course, Mr. Chairman, is the shareholders are the people who pay us.

What does this amendment do? It tries to bring some of the private sector sanity into the Export-Import Bank and say: Look, you are going to have to abide by rules that ensure diversification of risk, both within industries and across companies.

If this were really a bank and not just a political extension of the current administration, they would probably be doing this. If the Bank was run by a banker and not a political bundler, the Bank would probably already be doing this. But since it is a political extension of this administration, since it is run by a political bundler and not a banker, it falls to us to make sure that the Bank follows some commonsense rules about to whom it lends and how much it lends to them.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. I yield myself 1 minute.

Yet again the gentleman from South Carolina is offering an amendment designed to kill the Ex-Im Bank and compromise its reauthorization in the highway bill conference. By imposing arbitrary caps on the Bank's ability to meet the needs of American exporters, regardless of the sector they represent, the amendment would starve certain sectors of the financing they need, resulting in a needless loss of U.S. jobs.

I am concerned the amendment would also create incentives for businesses to be the first in line to get the limited amount of financing that is available for that particular sector or industry and would also undermine its mandates to serve sub-Saharan Africa, small businesses, and renewable energy exports.

Given the Bank's extremely low default rate, it is hard to envision how this amendment would help the Bank better manage its portfolio.

I urge Members to reject this poison pill amendment so that we can reauthorize the Ex-Im Bank without delay.

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

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, these amendments are getting more and more strange as the evening wears on.

The favorite indictment of this Bank, I think, is that it picks winners and losers, and yet here is an amendment that does exactly that. It puts these artificial caps on sectors. Mr. Chairman, this Bank is demand driven, and if the world demands shifts, why would we create barriers to U.S. firms meeting that demand? These caps just mean that the U.S. can't compete for growing market trends.

□ 2100

This is a poison pill amendment, and I urge the Members to reject this so we can reauthorize the Bank immediately.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I rise in opposition to my friend Mr. MULVANEY's amendment. He is a friend. I do want to say that this amendment puts not only a cap, but statutory quotas on industry sectors for the full 5-year authorization. It ignores market forces.

The amendment would mirror the French quota system in their export credit agency, which is ineffective. Rapidly developing industries like unconventional gas—and I represent a gas State, where we do a lot of Marcellus shale—and the industrial Internet would be disadvantaged under this policy.

It creates incentives for businesses to rush to be the first in the door and get under the arbitrary cap, resulting in missed opportunities and inequitable treatment of U.S. exporters and U.S. workers. This would make the Bank ineffective and unable to fill in the gaps in the private sector or to help American businesses compete on a level playing field.

I also have to note, too, that I suspect that many of the amendments that we are seeing here tonight are not designed to make the bill better, but to simply take it down. As I said, Mr. MULVANEY is my friend, but I suspect if his amendment is adopted, he probably still wouldn't be inclined to support the legislation, unless he tells me otherwise.

Mr. MULVANEY. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from South Carolina has 3 minutes remaining, and the gentlewoman from California has 2 minutes remaining.

Mr. MULVANEY. Mr. Chairman, I yield myself 2 minutes.

Arbitrary limits, I had to laugh about that one, Mr. Chairman, when I was making my notes, because I was in a committee meeting today with the same folks making the argument now, saying that Congress does that all the time. In fact, I think the person who made that argument is sitting across the aisle from me today.

I am just glad that folks making the argument now in opposition to this amendment aren't in charge of private banks. In fact, if they were, they would probably be in jail, because a lot of the same restrictions on lending that are contained in Dodd-Frank are exactly the rules that the Export-Import Bank is breaking right now.

We would never tolerate a private institution that allows the type of concentration, both marketwise and geographically, that the Export-Import Bank has. Dodd-Frank would never permit it. Apparently, now it is okay, because we don't have private shareholders on the hook. We have taxpayers on the hook. So, if things go bad, it is really not that big a deal.

I will remind everyone here, Mr. Chairman, that the inspector general's report has suggested exactly the type of reforms that are contained in this amendment. Anyone with any banking experience or even people from Tennessee with just a little common sense might be able to look at the balance sheet of this Bank and say: ''Wait a second. There is too much concentration of various industries. There is too much concentration of various geographic areas. This is a really, really bad way to run a bank.''

And it would be, of course, if this is a bank. But it is not a bank. It is a government program. It should be run like a bank, however. And that is what this amendment gives us the opportunity to do.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chairman, I think it is relevant that we think for a moment about the Bank.

Some of my friends here who press these amendments—which, I would remind you, you should vote against all of them—say that they are not trying to kill the Bank. They are trying to do something.

Well, didn't the Bank expire in July? Isn't it no longer able to do new business? Isn't that the definition of dead? By their lack of action, which is inaction, they killed it. Now they say, with their actions, they will resurrect it? Not likely, my friends.

Turn all these amendments down. Let's get on with the core business here. Let's fight the fight we fought last week again, and one more time let's give American business an opportunity to compete with the rest of the world.

Who knows—we might have to do this three or four more times, but let's keep doing the right thing for American workers. Let's keep doing the right thing for American business. That is all I am asking: just do the right thing and abide by the decision of the House and the majority of the majority.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, the gentleman from South Carolina suggested that the Export-Import Bank was a political extension of this administration. If that is true, let's be real clear: it has been a political extension of every single administration since it was created in 1934.

All 13 Presidents have supported the Export-Import, all 13—Democrats and Republicans, liberals and conservatives. Sixteen times it has bean reauthorized in this Chamber. Virtually every time, it was done unanimously and overwhelmingly.

In earlier remarks, the other gentleman suggested that those of us who oppose these amendments are trying to have it both ways. They also say that we try to pick winners and losers with the Export-Import Bank.

Well, this amendment is exhibit A in picking winners and losers. It compels diversification. It is not based on need and not based on creditworthiness. Diversification for diversification's sake, that is not what a good bank does, and that is not what the Export-Import Bank does. The Export-Import Bank meets a specific need in the marketplace; and when it does it, it creates jobs, jobs for Americans.

Oppose this amendment. Oppose all amendments.

Mr. MULVANEY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from South Carolina has 1½ minutes remaining.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield back the balance of my time.

Mr. MULVANEY. Mr. Chairman, in closing on all of these amendments, I want to touch on something we haven't had a chance to talk about here today.

There are a lot of people in here who are apparently very proud of the Bank. They are happy with the way the Bank is run. They don't think that, but for some token reforms and changes, the Bank needs to change very much at all.

The last 6 years have been 75 years of combined prison time because of wrongdoing at the Bank. There were 90 criminal indictments and complaints, 49 criminal judgments, and more than $223 million—a quarter of a billion dollars—in court-ordered fines and restitution because of wrongdoing at the Bank.

We are proud of that? That is something that doesn't need serious overhaul? That is something we can just tweak around the edges because we have done it for so long?

Maybe that is part of the problem. Maybe it has been a really, really long time since we have looked at this Bank under the microscope like we should. Maybe we should not have rubberstamped it for the past 16 administrations. Maybe the Bank should have followed the law that we passed in 2012 to reform itself.

What does it say about an institution, Mr. Chairman, that ignores the law that this Chamber passes, the Senate passes, and the President signs? You combine that which can only be described as bureaucratic arrogance with this—prison time, criminal indictments, judgments, fines and restitutions—and you have an institution that is in sad need of reform, Mr. Chairman, and this is it.

The amendments that you will see tonight are your only opportunity to do that. We could have done it the other day on the motion to discharge, but it was finely tuned so that that could not happen. This is it. We should pass not only this amendment, Mr. Chairman, but all of the amendments.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

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

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

AMENDMENT NO. 7 OFFERED BY MR. ROTHFUS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. GUARANTEE FROM UNITED STATES EXPORTER REQUIRED AS A CONDITION OF PROVIDING GUARANTEE OR EXTENDING CREDIT TO FOREIGN PERSON.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

''(1) GUARANTEE FROM UNITED STATES EXPORTER REQUIRED AS A CONDITION OF PROVIDING GUARANTEE OR EXTENDING CREDIT TO FOREIGN PERSON.—

''(1) IN GENERAL.—The Bank may not provide a guarantee or extend (or participate in the extension of credit) to a foreign person in a fiscal year in connection with the export of goods or services by a United States company, unless—

''(A) the United States company—

''(i) guarantees the repayment by the foreign person of the applicable percentage for the fiscal year of the amount of the guarantee or credit provided by the Bank; and

''(ii) pledges collateral in an amount sufficient to cover the applicable percentage for the fiscal year of the amount guaranteed by the United States company; and

''(B) the guarantee by the United States company is senior to any other obligation of the United States company.

''(2) APPLICABLE PERCENTAGE DEFINED.—In paragraph (1), the term 'applicable percentage' means—

''(A) in the case of fiscal year 2016, 10 percent;

''(B) in the case of fiscal year 2017, 20 percent;

''(C) in the case of fiscal year 2018, 30 percent;

''(D) in the case of fiscal year 2019, 40 percent;

''(E) in the case of fiscal year 2020, 50 percent;

''(F) in the case of fiscal year 2021, 60 percent;

''(G) in the case of fiscal year 2022, 70 percent;

''(H) in the case of fiscal year 2023, 80 percent;

''(I) in the case of fiscal year 2024, 90 percent; and

''(J) in the case of fiscal year 2025 and each succeeding fiscal year, 100 percent.

''(3) INAPPLICABILITY TO SMALL BUSINESS EXPORTERS.—Paragraph (1) shall not apply with respect to the provision of a guarantee or credit in connection with an export by a small business concern (as defined in section 3(a) of the Small Business Act).''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. ROTHFUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

I cannot understate the importance of this amendment, Mr. Chairman. The House finally has an opportunity to begin today what may be a years-long process of unwinding the Federal Government's massive loan guarantees. We need to do this to better protect hardworking taxpayer dollars so we can ensure that, when bills come due in 10 years for Social Security, Medicare, and veterans' benefits, we will be able to meet these commitments that Americans have earned and deserve.

My amendment also supports small businesses and ensures they can continue to export goods and services. In short, it is a win-win for taxpayers and job creators alike.

My amendment builds a firewall to protect the American taxpayer in the event that an overseas purchaser takes out a loan from the Export-Import Bank and stops paying it back. While the loan will still have a taxpayer guarantee, the U.S. exporter that directly profits on the deal will be responsible for a percentage of the loss before you go to the taxpayers.

One need only look at the details surrounding the deal with NewSat, a troubled satellite operator in Australia, to see why this amendment is necessary. The American taxpayer lost $139 million of a direct loan from the Export-Import Bank because the deal wasn't properly collateralized. Hardworking taxpayers should not be left paying for these risky loans.

This is vitally important, Mr. Chairman. This amendment will allow elected Representatives to cast a vote on whether it is fair and prudent to facilitate transactions where profits stay in the private sector, but losses are passed on to taxpayers. This is often described as ''privatize the profits, but socialize the losses.''

Here is how the amendment works. First, it does not apply if any exporter is a small business. According to the Export-Import Bank's own figures, nearly 90 percent of the Bank's transactions directly serve small businesses. This amendment does not touch this 90 percent and will not impact local mom-and-pop businesses.

For big businesses, though, when a foreign government or corporation takes out a loan from the Export-Import Bank to buy their products or services, if that foreign purchaser then defaults on the loan, before dipping into the Bank's reserves—which belong to the taxpayers—the big businesses would have to repay a percentage of the loan.

To minimize any potential disruptions, this reform is phased in gradually over the next decade, starting at a mere 10 percent for any lending that occurs in fiscal year 2016, 20 percent in fiscal year 2017, and so on. Loans will still get made, the Bank will still operate, but the American taxpayers will have a layer of protection that will mitigate any chance of the Export-Import Bank requesting a bailout, as it did in 1987 to the tune of $3 billion.

Why is this so important? Because American taxpayers are today the guarantor of more than $3 trillion in loans backed by numerous agencies, including the Export-Import Bank. This level of taxpayer leverage is not sustainable; and in 10 years, when we look into the faces of our seniors and our veterans, I want to have the confidence that we will have the resources we need to uphold the commitments we have made to them.

Mr. Chairman, the modest reforms in this amendment are a small step towards achieving that end. We can—we must—start this process today. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. I thank the gentleman for yielding, and I thank her for her tremendous leadership on this issue. I join her; Mr. HECK of Washington; our whip, Mr. HOYER; Congresswoman MOORE of Wisconsin; and so many others on the Republican side of the aisle who have been such strong leaders on reauthorization of the Ex-Im Bank.

Mr. Chair, some concerns have been raised here that I think are in need of response.

In terms of this amendment, I rise in opposition to it and state that the Bank's portfolio is well-collateralized, especially in the largest product sector, and it maintains a loss rate of less than one-quarter of 1 percent.

The Bank is also self-funded, largely through user fees collected from foreign customers, and has generated a surplus of close to $7 billion, money that has been sent to the U.S. Treasury to help reduce the deficit.

The previous speaker, Mr. MULVANEY, talked about some incidences of fraud that he said were associated with the Bank. I think it is important for our colleagues and those who are listening to this debate to know that those incidences of fraud were fraud exacted upon the Bank, not by the Bank; and so the charge that this fraud was within the Bank is just simply not true. These were people who tried to defraud the Bank.

Now, there was one incidence of fraud that the members of the staff of the Bank referred to or called out—one incident. So I just don't want anyone to

be misled into thinking that, however it was characterized, it is a fact.

□ 2115

That is why we have an IG, and that is why it is so good that in this bill, in terms of fraud and ethics, it creates a nonpartisan chief ethics officer and requires a GAO review at least once every 4 years of the Bank's fraud controls.

Legitimate concerns were raised, but the fact is the Bank should not be associated with fraud that is being exacted against it as if it was committing fraud. That is just not so.

But it is a good evening because we are debating an issue that has strong bipartisan support, that creates jobs, that reduces the deficit, that increases our competitiveness overseas, that enables U.S. companies to have markets for our products overseas, not only big businesses that are addressed in this amendment. That is important as well.

But for small and moderate-sized businesses who would not have the internal resources to find markets abroad, the Ex-Im Bank is created for that purpose.

I thank Mr. DENT and others who have been so much a part of bringing this legislation to the floor. I think it is a victory for the American people that we will have a bill that not only is good for our highways and in terms of transportation, but also reauthorizes the Ex-Im Bank in order to agree with the language in the Senate bill.

So all of these amendments, however well intentioned or well thought out, have the additional burden of taking down the Bank. Maybe you save them for another day, but in the here and now, we do not need any amendments on the Ex-Im Bank in the transportation bill just because the Ex-Im Bank is authorized in the transportation bill in the Senate.

This House very thoughtfully passed our own authorization. I would hope that the Senate would agree to our language unamended.

Again, I commend all of you who made this evening possible, and I look forward to a celebration of passing a highway bill that does not take down the Ex-Im Bank.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chair, I am not as calm as the Leader in her remarks because I think enough is enough.

Not directed at the offerer of this amendment but to a previous speaker: I cannot help but be reminded of Joseph Welch during the McCarthy hearings when he said: Have you no sense of decency, sir, at long last?

With one exception, these indictments were people outside the Bank trying to defraud the Bank; yet, it is offered here today as a reflection on the 300 or 400 employees down there.

What do they do? Well, they have a default rate that is one-tenth the rate of transactions in trade by the private sector, one-tenth.

They have a collection rate that is the envy of the commercial banking sector. They transfer funds to the Treasury, $6 billion or $7 billion in the last generation. That is what these hardworking people do.

Stop it. Stop making comments that reflect on all of these people who are hardworking civil servants, who are doing the job, and who are reducing the deficit.

Yes, they are supporting and creating jobs. What does ''support'' mean? Create or save. The GAO says that, not me, the GAO. So stop it.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. I thank the gentlewoman.

Mr. Chair, again, let's go over the facts. We are getting off base.

The Bank doesn't lose taxpayer dollars. It returns money to the Treasury every year, $500 million to $1 billion.

We are reforming. This is a Republican reform bill. We should be happy when Democrats want to cross the aisle and support Republican ideas. This is a Republican reform bill.

And to the gentleman that makes the argument on this amendment, the aircraft section of the portfolio is over on collateral 1.4 to 1.

These are bogus arguments. These are amendments to kill the Bank.

This is sad when people put their political scorecards above their constituents. This is about jobs in all of our districts.

They are not using the facts. The facts are that this creates lots of jobs at no cost, and we are reforming the Bank.

Read the bill. Read the bill, Mr. Chairman, and maybe we would have more than 313 votes next time we vote on this.

Mr. ROTHFUS. Mr. Chairman, I have heard a number of times tonight that the Bank doesn't cost anything. But if you take a look at the Congressional Budget Office analysis and if you use fair value accounting, it costs $2 billion over 10 years. And there will be an amendment later on talking about that.

I think people forget about the $3 billion taxpayer bailout that Export-Import asked for in 1987.

Finally, Fannie Mae and Freddie Mac were fine until they weren't, and they left the taxpayers with a $150 billion tab.

I am looking 10 years down the road, Mr. Chairman, looking at the debt that this country continues to accrue and thinking about the obligations that we have to meet in 2025 for our seniors, for our veterans. I want to make sure that we are not going to have a bailout at that time of this institution.

All this amendment does is says, who bears the risk of loss, the taxpayer or the entities that made the profit. It is phased in over time. Small businesses are protected.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I thank the ranking member, and I thank the chairman.

Mr. Chair, I would simply note that the provision requires U.S. business to factor in new costs of a guarantee for repayment to the Ex-Im Bank, in addition to the fees and interests already required. Those additional costs would make U.S. business less competitive.

Now, that said, once again, I urge my colleagues to turn back this amendment, turn back all 10 amendments.

Remember, the Bank expired in July. When my friends say they don't want to kill it, they already have. Now they are just trying to keep it from being brought back to be able to function as a part of our economy.

Look through the amendment process we are going through here. Look at the whole process we are involved in. Understand what is really occurring.

Nothing ever happens by accident in politics—right?—or the legislative process. Understand the fight we are engaged in.

Turn back this amendment. Turn back all these amendments. Let's get on with it. If we could have made things better 6 months ago, we would have, but we weren't allowed to.

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

Ms. MAXINE WATERS of California. Mr. Chairman, this amendment has been offered in an attempt to delay and derail the Bank's reauthorization.

Despite the implication made by the gentleman's amendment that Ex-Im is undertaking and mismanaging excessive risk, it is important to be clear on the fact that the Bank has a portfolio that is well diversified regionally and by sector, spread across over 170 countries and dozens of industries.

The Bank's portfolio is also well collateralized, especially in its larger product sector, and it maintains the loss rate of less than one-quarter of 1 percent.

Moreover, Ex-Im Bank's strong portfolio has withstood the test of numerous market disruptions in the past.

Finally, the Bank is also self-funded largely through user fees collected from foreign customers and has generated a surplus of close to $7 billion, money that has been sent to the U.S. Treasury to help lower our deficit.

So I urge all Members to reject this amendment.

I yield back the balance of my time.

Mr. ROTHFUS. Mr. Chairman, again, I think people have a short memory of

what happened with Fannie Mae and Freddie Mac and the $150 billion loss that those institutions incurred.

This amendment does not end the Bank. It allows loans to continue to be made. It simply puts a firewall between a potential loss and the taxpayers. Who bears the risk of loss? The taxpayers or the entity that made the profit?

I suggest that there should be phased in over time 10 percent the first year, just 10 percent—that is a miniscule ask—that those who make a profit from this Bank have a little skin in the game. Small businesses are exempted.

I ask for support of this amendment. I urge my colleagues to vote ''yes.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS).

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

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

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

AMENDMENT NO. 8 OFFERED BY MR. ROYCE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. PROHIBITION ON AID TO STATE-SPONSORS OF TERRORISM.

Section 2(b)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(2)) is amended—

(1) in the paragraph heading, by inserting ''OR STATE-SPONSORS OF TERRORISM'' before the period;

(2) in subparagraph (A)—

(A) by striking ''or'' at the end of clause (i);

(B) by redesignating clause (ii) as clause (iii) and inserting after clause (i) the following:

''(ii) in connection with the purchase or lease of any product by a country that is designated as a state-sponsor of terrorism, or any agency or national thereof; or''; and

(C) in clause (iii) (as so redesignated), by inserting ''or a state-sponsor of terrorism'' before the period;

(3) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively, and inserting after subparagraph (B) the following:

''(C) STATE-SPONSOR OF TERRORISM DEFINED.—In this paragraph, the term 'state-sponsor of terrorism' means a country the government of which the Secretary of State has determined, for purposes of section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)), section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)), or any other provision of law, to be a government that has repeatedly provided support for acts of international terrorism.'';

(4) in subparagraph (D) (as so redesignated)—

(A) in the subparagraph heading, by inserting ''OR A STATE-SPONSOR OF TERRORISM'' after ''MARXIST-LENINIST'';

(B) by inserting ''or that any country described in subparagraph (C) has ceased to be a state-sponsor of terrorism'' after ''(B)(i))'';

(C) by inserting ''or a state-sponsor of terrorism, as the case may be,'' before ''for purposes''; and

(D) by inserting ''or a state-sponsor of terrorism, as the case may be'' before the period at the end; and

(5) in subparagraph (E) (as so redesignated)—

(A) in clause (i)—

(i) by striking ''Subparagraph'' and inserting ''Clauses (i) and (iii) (but only to the extent applicable with respect to Marxist-Leninist countries) of subparagraph''; and

(ii) by striking ''(ii)'' and inserting ''(iii) (but only to the extent applicable with respect to Marxist-Leninist countries)''; and

(B) in clause (ii), by striking ''(ii)'' and inserting ''(iii) (but only to the extent applicable with respect to Marxist-Leninist countries)''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. ROYCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROYCE. Mr. Chairman, I would explain to my colleagues at the outset that I, frankly, think we should voice vote this amendment without objection. I think it is misguided to oppose it because this amendment is not part of this fight over Ex-Im.

What this fight is over, what this amendment is over, is my experience in terms of the President using waivers. I will explain to you my worry if we don't close this loophole, which I frankly think it would be very easy to close because I think the Senate would agree with us.

But Export-Import Bank loans and guarantees obviously would be absolutely off limits to state sponsors of terrorism if we write the law correctly. The worst of the worst—Iran, Syria, Sudan—should have the Bank door slammed shut, period.

That is what this amendment does. No administration wiggle room, none at all.

One country where the Ex-Im has not operated in recent years is Iran. This is because of our sanctions. But, of course, much of this sanctions regime is going to be suspended, misguidedly, as part of the President's nuclear deal.

So what does that mean?

For one, the administration is committed to making it possible for Iran to purchase commercial aircraft. I think we can all agree, Ex-Im supporters and opponents alike, that Iran should not be entitled to American taxpayer-financed aircraft deals.

Iran has a long history of using its commercial airlines to support its terrorist proxies. Its commercial flights are now flying military personnel to Syria. When I say ''now,'' I mean right now.

Iran is on a roll in the region undermining our partners and backing the murderous Assad regime in Syria.

Now, some parts of U.S. law, most notably in the Foreign Assistance Act, do prevent Ex-Im from engaging with state sponsors of terrorism. But these commonsense prohibitions are subject to Presidential waivers, and we have seen the President abuse waivers to pursue his agenda over and over again on Iran, no matter what Congress thinks.

Without consulting Congress, the administration signed us up for an agreement that will waive sanctions year after year until Iran has nuclear breakout capability. That is the way I think this ends.

So, Mr. Chairman, the Foreign Affairs Committee that I chair is continuing to examine the Iran agreement in great detail. We understand how this administration has abused its authority to force a deal that allows the Ayatollah to keep a path to a nuclear weapon, in my view, with little regard for the views of the American people or their Representatives in Congress.

This is not just about Iran. The administration is unilaterally bending, ignoring, and rewriting law to advance his agenda here at home toward Cuba and elsewhere.

So this amendment protects against executive overreach. It would strengthen existing law by prohibiting any bank activities in connection with the purchase or lease of any product by a country that is designated as a state sponsor of terrorism, to include any agency or national of that government, and it prohibits the waivers that are currently exercised by the President.

□ 2130

That means that anyone who is a national of Iran or an appendage of that state sponsor of terrorism cannot benefit from the Bank. The Iranian Government and its Revolutionary Guards—which is increasingly involved in transportation, in energy, in construction, and in telecommunications—are set to profit from the President's nuclear agreement. Now, that is bad enough. But they shouldn't be getting Ex-Im backing on top of that.

Mr. Chairman, given my experience with this President with the waivers he has already given, I want that loophole closed. I don't think there is a reason for a debate on this. I think it should be voice-voted, and I think the Senate will concur in that.

Mr. Chairman, I encourage my colleagues to support this amendment.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman and Members, this amendment, more than any other, is

the one most clearly aimed at fracturing the majority coalition that has overwhelmingly backed the reauthorization of the Export-Import Bank.

For Members who might feel pressure to vote for this amendment, I urge you to keep in mind that you would also be voting to send the Ex-Im provision in this bill to conference and directly into the hands of Chairman HENSARLING and Chairman SHELBY, which will prove fatal to the Export-Import Bank.

Moreover, the Foreign Assistance Act as well as the omnibus spending bill the House adopted last December both prohibit Ex-Im support to state sponsors of terrorism, and there is no reason to believe that will change.

Mr. Chairman, I strongly urge Members to appreciate the extraordinary efforts it has taken Members on both sides of the aisle to get us to this point, and I call on my colleagues to reject this poison pill amendment that is designed to upend the reauthorization of the Bank.

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

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

Mr. Chairman, it is my understanding that, with or without passage of this amendment, the transportation bill with the Ex-Im language is going to conference with the Senate. That is the next step in this procedure.

I understand some believe this, and I understand some have been told that this in some way affects that conference. I don't think so. It is going to go to conference. I do not understand the reason to object to this because I think, frankly, whether you are for Ex-Im or against Ex-Im, at the end of the day, you don't want the President to have this particular waiver. I don't think Members here want that.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma (Mr. LUCAS), who has had so much courage.

Mr. LUCAS. Mr. Chairman, I thank the ranking member.

Mr. Chairman, first, before we talk about the substance of the amendment, let's look at the lay of the land. I am a farmer by trade. That is always something you do, you look at the lay of the land.

The six principal authors of the 10 amendments offered today, all members of Financial Services, none of them were proponents 6 months ago when we were attempting, pleading to bring this bill up for consideration.

None of these six, as I remember, demanded that we bring the bill up 3 months ago when frustration caught up with us. None of these six signed the discharge petition to use a rule of the House to allow this body to have its say. I don't believe any of these six authors actually voted to discharge the petition or voted for the final product last week when 313 Members of this body and a majority of the majority voted for it. So understand the lay of the land. Understand the nature.

Now, I have the greatest respect for the chairman of the Foreign Affairs Committee. I sat next to him for 20 years on Financial Services. He is extremely sincere. My friends, the issues he brings up in this amendment are relevant, but his chairmanship of the committee he presides over has primary jurisdiction on this.

This particular amendment would address a small part of one part of the things the Federal Government does. Maybe we need a bill to address all of these kinds of situations. Maybe we need—as we should have had on Export-Import in Financial Services—a thoughtful and considerate process to craft a good, solid piece of legislation. I know he is capable of it. I know he can do it. I want him to do it.

But let's do it in that concept of regular order in regular process. Let's not take this situation where we have had to do extraordinary things to give the House a chance to make the decision. Let's not take this situation now and in the spirit of the folks who set up the discharge process 100-plus years ago say: Well, the House decided, but really the House's opinion doesn't matter. Now we are going to redo it. We are going to go a different way.

Now, Mr. Chairman, I have faith this evening that, after my colleagues have listened to this debate on 10 amendments, when they come to the floor and vote on all 10 amendments, they will turn all 10 down. I am sorry, my colleagues, that you have to do this, because we shouldn't be here doing this tonight. This was decided last week.

But I hope if we will send a clear message and turn back all 10 amendments, that this will be over with. Let's not do this again next week. That is contrary to the spirit of the House.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. SHERMAN), another member the Financial Services Committee.

Mr. SHERMAN. Mr. Chairman, I have tremendous respect for the author and his intention here, but any amendment to the Ex-Im title means the Ex-Im title is open to the conference, which will kill the Ex-Im Bank. So we should not adopt an amendment that mostly restates existing law. We have, already, provisions which prevent the Bank from financing state sponsors of terrorism.

First, the Bank's own charter, which I helped draft, prohibits them from extending loans or any assistance to any entity that violates U.S. sanctions.

Second, as the gentleman points out, the Foreign Assistance Act prohibits any aid to state sponsors of terrorism but allows for a Presidential waiver, but that is a national security waiver, which is very limited.

I commend the gentleman for his amendment because it has caused the Ex-Im Bank to issue, just an hour ago, a pledge not to seek any waiver under any circumstances that they can concurrently conceive of.

But third, and most importantly, the last 10 appropriations bills have an absolute ban on the Ex-Im Bank helping state sponsors of terror, and there is no waiver allowed. Now, I would like the next omnibus bill, which already has this provision in it, to have the gentleman's language in it as well, and I look forward to working on that.

NOVEMBER 4, 2015.

Re: Letter Concerning Prohibitions Related to State Sponsors of Terrorism.

Hon. FRED P. HOCHBERG,
Chairman and President, Export Import Bank of the United States, Washington, DC.

DEAR CHAIRMAN HOCHBERG: Thank you for your letter outlining the position of the Bank in opposition to support for exports to countries designated state sponsors of terrorism.

As we have discussed, there may be an effort to sell or lease civilian aircraft to Iran Air or other Iranian airlines, and that there may be efforts to secure export credit agency support for such sales or leases. I am therefore grateful for your acknowledgement that there is no scenario that you currently foresee where a Presidential Waiver would be sought to provide loans for export of any items to these countries or any person from those countries.

I understand, of course, that unforeseen and even bizarre circumstances may arise in international affairs; but given the current state of our relations with these countries, I am pleased to hear that you cannot anticipate any scenario where we would provide Ex-Im Bank assistance to state sponsors of terrorism.

Sincerely,

BRAD SHERMAN,
Member of Congress.

NOVEMBER 4, 2015.

Hon. BRAD SHERMAN,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN SHERMAN: Pursuant to applicable law, the Export-Import Bank of the United States does not finance any transactions for designated state sponsors of terrorism. As you know, transactions involving the three existing state sponsors of terrorism—the Republic of Sudan, the Islamic Republic of Iran, and the Syrian Arab Republic—are already subject to numerous additional restrictions. As Chairman and President of the Export-Import Bank of the United States, I do not anticipate any scenario in which the Bank would seek a waiver from the President of the United States as contemplated by (i) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), or (ii) the Arms Export Control Act (22 U.S.C. 2780(g)), in connection with a transaction involving a country designated as a state sponsor of terrorism, or any transaction involving any person from any such countries.

Sincerely,

FRED P. HOCHBERG,
Chairman and President.

Ms. MAXINE WATERS of California. Mr. Chair, I yield back the balance of my time.

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

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

Ms. MAXINE WATERS of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 9 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. USE OF FAIR VALUE ACCOUNTING PRINCIPLES.

The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is amended by adding at the end the following:

''SEC. 16. USE OF FAIR VALUE ACCOUNTING PRINCIPLES.

''The Bank shall prepare the financial statements of the Bank in accordance with fair value accounting principles.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Chairman, my fellow Members, let's do some basic accounting, something we would all remember from our accounting 101 class. How many times tonight in the debate have we had the discussion: Oh, Ex-Im Bank, its losses are absolutely tiny? I have heard numbers tonight of 1.7 percent. But do any of you remember the hearing with the head of the Export-Import Bank where we asked the question: Can you tell me your impairment?

Remember, a charge-off is a loss; an impairment is someone who is not paying.

Mr. Chairman, the head of the Ex-Im Bank just stared at us with really angry eyes. He just stared at us. It turns out that the Bank games their losses. This is how they report such a great number.

If I turned to you and said, ''Hey, your neighborhood bank has a loan on the books that has sat there for 55 years without a payment,'' wouldn't you think that would have not been in the impairment category that is not reported under their current accounting methodology, but would have been charged off or forced to be charged off? Could you imagine a Dodd-Frank-regulated bank keeping a loan with no payment for 55 years? They still have a $36 million loan to pre-Castro Cuba on their books. We found lots of this sort of stuff because of the accounting methodology.

Mr. Chairman, this amendment is very simple. It just basically says to do what the rest of the financial world has to do and use fair value accounting.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT), which would do little to strengthen or improve the Export-Import Bank. Rather, the amendment is a cynical attempt to inaccurately and artificially inflate the cost of the programs offered by the Bank. All this would achieve is confusion regarding the real-world state of the Bank's fiscal health.

The fact of the matter is the Export-Import Bank has been extraordinarily careful in its risk management, which has resulted in a dividend to taxpayers of close to $7 billion. This is real money, and to pretend it isn't real for accounting purposes just isn't credible.

Overwhelmingly, majorities in the House and Senate have passed identical reauthorization measures that deliberately excluded this provision, and adding it back now would only serve to undermine the Bank's reauthorization.

Mr. Chairman, I urge Members to oppose this amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. SHERMAN), who serves on the Financial Services Committee.

Mr. SHERMAN. Mr. Chairman, this Bank is important. That is why Ronald Reagan said on January 30, 1984, that the Export-Import Bank contributes in a significant way to our Nation's export sales. We should not adopt an unnecessary amendment, the effect of which would be to kill the Bank.

Now, this amendment deals with accounting. As co-chair of the CPA Caucus, I understand the importance of solid accounting rules. As a CPA, we are the referees that make sure that accounting rules are followed.

The amendment talks about fair value accounting, more properly described as fantasy value accounting. Don't confuse fair value accounting with anything that is used in private enterprise or anywhere else. It is not the same as generally accepted accounting principles. Stick with generally accepted accounting principles. Stick with the principles consistent with the CBO, and those principles show you that the Bank makes money for the Treasury, which is why it transfers half a billion to a billion dollars a year.

Under fantasy value accounting, we don't look at whether the Bank is making money. We look at whether they would be making money if we lived in a fair world. So you would say, for example, in looking at the cost of funds and what it takes to borrow money, you could look at the accounting statements of Pizza Hut and say: Don't look at what they actually paid as interest costs, but what they would have paid in a fair world where they had the same interest rate as Jack's Pizzeria.

□ 2145

Well, maybe we don't live in a fair world. But the fact is, generally accepted accounting principles are to determine whether a company or entity is making or losing money in the real world. Stick with generally accepted accounting principles. Stick with the CBO. Stick with the CPAs. Stick with GAAP. Say ''no'' to fantasy value accounting.

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

You would be happy to know and my friend from California would be happy to know CBO actually supports fair value accounting.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. FINCHER), a real champion and a leader to reauthorize the Bank.

Mr. FINCHER. Mr. Chairman, once again, let's go back to the facts. The facts are this is a Republican reform bill. The gentleman from South Carolina is listening. This doesn't cost the taxpayer a dime.

The scare tactics from my colleagues that are trying to kill the Bank are not going to work. This returns $500 million to $1 billion per year to the Treasury to help pay down the debt.

My colleagues that are in opposition to this talk about us picking winners and losers, the supporters of the Ex-Im Bank. Well, do you know what? We are picking winners: American jobs. Those are the winners here.

This is shameful that we are having this debate tonight at 10:00 on an issue that could have been handled in our committee a year ago. And the gentleman talks about hearings. Well, we haven't had any hearings in how many months? I don't know if we have had any this Congress. We had some last Congress. We haven't had any this Congress.

This is how we fix issues. We have hearings, we have markups, we debate them in committee, and then we move items to the floor. But that didn't happen this time.

So what we have is we have 10 amendments. As the gentleman from Oklahoma said a few minutes ago, the Bank is already dead. They succeeded. But they want to bury the Bank now.

Let's put American jobs first and put political scorecards and trying to outconservative each other for some ranking in some book last. Let's work for our districts and not play political games, Mr. Chairman.

I urge my colleagues, once again, to vote ''no'' on all of these amendments. Let's put people back in charge.

Mr. SCHWEIKERT. Mr. Chairman, may I request how much time is remaining on both sides?

The Acting CHAIR. The gentleman from Arizona has 3 minutes remaining. The gentlewoman from California has 15 seconds remaining.

Mr. SCHWEIKERT. Mr. Chairman, I yield 90 seconds to the good gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. Mr. Chairman, I want to encourage my colleagues, if they vote for one and only one of these Export-Import Bank amendments, they should vote for this one.

In fact, I would bring to their attention that they probably have already voted for it before because, in the last two Congresses, we have voted to put the Federal agencies on fair value accounting and passed that out of the House. We have already done it. I don't know where the objections were at that time, but we have already done this as a House, and we should do it again.

To the gentleman from California's point regarding GAAP, let's be honest with people. Let's be honest. The government doesn't use GAAP. The government does not use GAAP the way that most ordinary people understand it. We use GAAP for government, which is entirely different.

Let's just settle on this amendment so that we can count in a way that people understand, that if you lent money to the Batista regime before Castro and it hasn't been paid yet, maybe it is a bad loan; if you lent money to Chiang Kai-shek, maybe that is a bad loan. Let's start counting in ways that ordinary people can understand. This is not a poison pill. It is just good governance.

And, most importantly, Mr. Chairman, it would not change the way the Bank functions in any way whatsoever. All it would do is change the way the Bank counts and tells Congress and the American people how it is performing. I strongly encourage that if you are going to vote for one Export-Import amendment, this would be the one.

Ms. MAXINE WATERS of California. Mr. Chairman, this is what our accountant friend, Mr. SHERMAN, called fairytale value accounting. But further than that, President George W. Bush calls this fuzzy math.

We have heard everything this evening. We have had every attempt to try to kill the Export-Import Bank, and now we are into this fuzzy, fairytale math that is being presented by my friend.

I urge my friends to vote ''no'' on this amendment. I yield back the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, all right. So fuzzy math, even though we now require the International Monetary Fund to use fair value accounting, even though many of you, when you voted for the Troubled Asset Relief Program, demanded fair value accounting. We now demand Fannie Mae and Freddie Mac, when they are doing their projections, to use fair value accounting. And a whole bunch of us in this room have voted for that.

Let's actually touch on that. Mr. Chairman, forgive me because I am going to try to find the most elegant way to say this.

My friend from Tennessee now multiple times has referred to a scorecard. Okay? So how many people are voting for this for donations? Just a theoretical question. I mean, if you are going to impugn, be careful.

Many of us have been working on this issue since the day we arrived at this body before it was ever a political issue bouncing up through the blogosphere. This is a problem.

Our amendment here, a fair value accounting, has actually been supported by the gentlemen sitting across from me who opposes this. You have all voted. You have all voted to put all of government on fair value accounting.

But now all of a sudden, when it is an actual reform to the Ex-Im Bank because we might actually understand the value of risk and what is really going on and actually maybe understand what belongs in the impairment category instead of the charge-off category, we would get some honest information. That is what this amendment will do.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT).

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

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

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

AMENDMENT NO. 23 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. ____. PROCEDURES REQUIRED IN RESPONSE TO COMMENT ALLEGING ECONOMIC HARM WILL RESULT IF PROPOSED BANK TRANSACTION IS APPROVED.

Section 3(c) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(c)) is amended by adding at the end the following:

''(11) PROCEDURES REQUIRED IN RESPONSE TO COMMENT ALLEGING ECONOMIC HARM WILL RESULT IF PROPOSED BANK TRANSACTION IS APPROVED.—If the Board of Directors receives a comment from a representative of a United States company, in response to a notice that the Board has caused to be published in the Federal Register, that alleges that the company will suffer economic harm if a proposed Bank transaction is approved, then, unless the Board unanimously votes to do otherwise, the Board shall provide for—

''(A) a 60-day discussion period that begins at the end of the comment period otherwise required by law, with respect to all comments received by the Board in response to the notice, which period shall be extended by not more than 60 days if at least 1 Board member recommends such an extension; and

''(B) an opportunity for any such commenter who makes such an allegation to appear before the Board and be heard with respect to the notice if at least 1 Board member recommends that the commenter be invited to do so.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Georgia (Mr. WESTMORELAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Chairman, I want to clarify a few things. This is not a poison pill. My amendment is not a poison pill.

My friend from Oklahoma said that he wanted to play by the rules. That is what I want to do. I have got an amendment that I never had an opportunity to submit. Do you know why? Because of the discharge position.

The authors of the discharge petition chose to have it brought up under a closed rule. So I never got a chance. My 700,000 people never had a chance.

Now, I don't know how many people in Frog Jump, Tennessee, buy wide-bodied planes. I am sure there are probably one or two that buy them. But I have got 6,000 Delta employees, both current and retired, that live in my district.

What this amendment does is it allows a fair playing field to where you can go to the board of directors at Ex-Im Bank and give your analysis, not to the Ex-Im—that is almost like giving your complaint to the opposition's attorney. We want to go to the board because it is not fair.

Mr. Chairman, I include in the record a Wall Street Journal article called ''Boeing Helped Craft Own Loan Rule.'' They have been cooking the books.

All we want to do is have a chance where we can go to the board of directors and present our case because, when Ex-Im is cooking the books with Boeing, that doesn't leave us much of a chance.

[From the Wall Street Journal, Mar. 12, 2015]

BOEING HELPED CRAFT OWN LOAN RULE

(By Brody Mullins)

WASHINGTON.—When the Export-Import Bank sought to respond to critics with tighter rules for aircraft sales, it reached out to a company with a vested interest in the outcome: Boeing Co., the biggest beneficiary of the bank's assistance.

For months in 2012, according to about 50 pages of emails reviewed by The Wall Street Journal, the bank worked with Boeing to write rules that would satisfy critics in Congress and the domestic commercial airline industry—while leaving most sales of Boeing's airplanes to foreign carriers unscathed.

Ex-Im Bank, which helps finance the purchase of U.S. exports through loans and guarantees, is the target of Republicans who want to kill it, in part because they say it mostly provides subsidies to America's largest companies. The Boeing emails will add fuel to that fight.

The previously unreported documents, obtained through an open-records request, show how the two sides swapped ideas, drafts and data on sales of wide-body airplanes. Ex-Im Bank officials pushed their Boeing counterparts for information. Boeing suggested changes to the bank's draft proposal.

They reveal an extraordinary level of coordination between public officials and corporate executives. In a message one Saturday morning, Bob Morin, then the bank's

head of aircraft financing, sent a plea: ''If Boeing expects Ex-Im Bank to continue supporting wide-body aircraft, we need to get this right.''

When Congress renewed the bank's charter in 2012, the bank was required to publish its methodology for determining which transactions were significant enough to trigger an additional ''economic-impact review'' and, potentially, rejection.

The requirement didn't specifically include aircraft purchases, but Delta Air Lines Inc. and some lawmakers wanted the bank to include them in the rules, too.

That's when Boeing and Ex-Im Bank started discussing how the rule should be written. Many of the emails between the bank and Boeing deal with the guidelines the bank was creating to determine which aircraft transactions would trigger the additional review.

The collaboration appears to have worked. In the nearly two years since the rule went into effect, no Boeing sales have been nixed as a result.

Republican presidential hopeful Jeb Bush recently joined the chorus of conservatives questioning the bank's purpose. In late February, he told a gathering of the Club for Growth, a conservative advocacy group, that the government should consider whether this kind of financing ''should be phased out.'' The bank's current authorization expires June 30 and the lobbying battle is heating up.

Its usual supporters include lawmakers of both parties, including House Speaker John Boehner (R., Ohio) and Minority Leader Nancy Pelosi (D., Calif.), as well as the U.S. Chamber of Commerce, major labor unions, manufacturers and Wall Street banks.

Officials at Boeing declined to comment on the emails. In general, said Tim Myers, president of Boeing Capital Corp., Boeing's aircraft-financing unit, ''it would be only natural'' for the bank to ask for input since Boeing is the only U.S. maker of wide-body commercial aircraft.

Tim Keating, the company's top Washington lobbyist, called the interaction an example of how government should work: ''There doesn't have to be a full hostile relationship between the regulator and the regulated,'' he said.

Matt Bevens, a spokesman for Ex-Im, said other countries have their own export-financing agencies, but Ex-Im is the only one that assesses the economic impact of its transactions. Mr. Bevens, speaking on behalf of the individual employees named in the emails, said the bank developed the new guidelines voluntarily and that it would have been ''irresponsible if Ex-Im Bank had failed to consult the only American manufacturer of commercial aircraft.''

Bank supporters say foreign airlines would buy planes from European rival Airbus Group NV without Ex-Im financing. Boeing customers are among the biggest recipients of Ex-Im Bank loan guarantees. In the most recent fiscal year ended Sept. 30, 2014, the bank helped Boeing sell 61 wide-body planes to foreign airlines by guaranteeing more than $7 billion in loans.

Overall, in that fiscal year the bank guaranteed $20.5 billion in financing for U.S. exports. The bank charges a fee on its loans and made $675 million in profit that it sent to the U.S. Treasury.

Yet while the bank helps some American exporters, it irks other domestic firms.

Delta, for one, says the bank's financing gives rivals such as Emirates Airline, Thai Airways International PLC and Air India an advantage in their aircraft purchases that isn't available to U.S. carriers. For some foreign airlines, Ex-Im Bank's financing can be less expensive than a standard commercial loan.

It's amid such criticisms that the Ex-Im Bank and Boeing collaboration began. In August 2012, a bank official forwarded a draft proposal on the economic-impact trigger to several senior executives at Boeing and its aircraft-financing unit.

''Please note that this is an internal Ex-Im document still in draft form, but we wanted to get your input on several aspects of it prior to further developing the paper,'' wrote Claire Avett, an Ex-Im policy analyst on Friday, Aug. 31.

''We look forward to working closely with you to define concrete next steps to be able to achieve these ends,'' she wrote, referring to imminent internal deadlines.

The next morning, Saturday, Sept. 1, a second bank official sent a follow-up email. ''We do not have a lot of time,'' wrote Mr. Morin, the Ex-Im official in charge of aircraft financing.

The emails suggest Ex-Im Bank officials wanted Boeing's help to write guidelines that would limit the number of additional reviews on aircraft purchases.

''Subjecting and applying other transactions to detailed analysis under economic impact procedures has had the effect of killing most of those deals,'' wrote Mr. Morin, in the Sept. 1 email. ''Accordingly, it is very important that we establish the correct procedures here,'' he said.

Mr. Bevens, the Ex-Im Bank spokesman, says those deals were killed by delays and uncertainty created by the review process, not the review process itself. He said those delays are why Boeing and its suppliers opposed subjecting aircraft purchases to potentially lengthy scrutiny.

A few hours later on Sept. 1, a senior official at Boeing Capital responded that the company was working ''to look at what data we can pull together.'' The Boeing official, Kristi Kim, director of aircraft financial services at Boeing Capital, said the company was building model impact studies ''to see how the data would vary.''

Tim Neale, a spokesman for Boeing, said the company's goal was to ensure that the reviews were ''based on reasonable criteria.''

On Sept. 6, James Cruse, a senior vice president at Ex-Im's policy and planning group, wrote to Boeing to thank the company for its input. ''We recognize we are pushing and pressing you in ways that are not in your natural strike zone (and may verge toward ridiculous),'' he wrote.

The next month, the partners delved into nitty-gritty details, including the time frame that would be used to assess economic impact (shortening the time period to 12 months might be best, one Boeing official suggested). They settled on 12 months.

They also discussed who would conduct the reviews, if they were ever triggered. Boeing itself was an option because it had access to industry data. Other options were Ex-Im Bank or an outside consulting firm.

In one email where the two sides discussed who should conduct the analysis, Ms. Avett, the Ex-Im Bank policy analyst, asks for input on ''what would be most palatable to Boeing.''

In the end, Ex-Im Bank took the job of performing the reviews. In the two years since the new rules went into effect, Ex-Im has helped finance roughly 50 aircraft deals. Just one of those—a lease deal of Boeing planes by Aeroflot Russian Airlines—triggered the detailed economic review. Ultimately, that transaction was approved.

Mr. WESTMORELAND. Emirates Airline probably has the money to pay for these wide-bodied jets. But I respect Mr. HECK from Washington because he is fighting for people that work in his district. That is what I am trying to do. I am trying to work and fight for those folks in my district.

All we want is an opportunity to take an analysis, a real analysis, not one that the Ex-Im Bank called Boeing and said: You know what? You need to revise this number so we can understand or we can make a claim for the analysis that you need the money.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND), which, with all due respect, is a solution in search of a problem that, if adopted, will only serve to undermine the competitiveness of U.S. businesses.

The fact is the Ex-Im Bank already has a process in place for providing public notice and comment under which any member of the public, including companies who believe they may have been harmed, may submit comments which the board reviews prior to approving any transaction.

Lengthening this approval process by an additional 4 months, as the gentleman's amendment would do, would only serve to hurt our exporters by preventing them from competing in time-sensitive deals. Our U.S. exporters need and deserve every competitive edge they can get.

I urge my Members to reject this unnecessary and burdensome amendment.

I reserve the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, I would just like to tell the gentlewoman that it is not 4 months. It is 60 days. Is 60 days too much to ask that you could go present your case in front of the board of directors? I think that is just fair.

To the gentlewoman from California, I understand, but you are just reading something that your staff has given you. It is not 4 months. This is a new idea. I never got the chance to offer this amendment.

Mr. FINCHER, with the discharge petition, evidently wrote a perfect bill. I have been doing this for 25 years. I have never seen a perfect bill. We are trying to perfect the bill that Mr. FINCHER wrote and that the discharge petition brought to the floor on a closed rule where nobody could have any amendments.

All I am trying to do is get a fair shake for my folks, just like Mr. HECK of Washington is trying to get a fair shake for his. Give me the opportunity. Give us an opportunity to do that.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, what the gentleman doesn't realize is we are all trying to get a fair chance for our constituents, the small businesses and the jobs.

I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, I want to thank the ranking member.

Here we have another Delta amendment once again. The Ex-Im Bank already, Mr. Chairman, has a process in place for providing public notice and comment. Companies can provide feedback, which the board reviews prior to approving any transaction.

I can tell you that this is very dilatory again. All of Delta's lawsuits have all been thrown out. This is only another attempt to force the Ex-Im Bank to delay. The frustrating delay is doing its work.

I urge all my colleagues to vote against this dilatory amendment.

□ 2200

Mr. WESTMORELAND. Mr. Chairman, may I ask how much time is remaining?

The Acting CHAIR. The gentleman from Georgia has 1½ minutes remaining.

Mr. WESTMORELAND. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, my favorite literary theme is illusion reality, where you do not know whether you are in an illusion or you are in reality. It is greatly used throughout our culture and great movies, like ''The Stunt Man,'' with Peter O'Toole, or in classic literature, like ''Ulysses,'' by—who?—James Joyce.

It is not a good axis on which to pivot around an argument regarding public policy; so let's leave the illusion behind and go to reality. Here is the reality:

The Ex-Im does support jobs—164,000 last year. GAO, which you keep citing, approved its methodology. What is the proof? We have already lost nearly 1,000 jobs since you shuttered the doors of the Ex-Im. The reality is this is unilateral disarmament if we fail to reauthorize it. Every other developed nation has an export authority.

The reality is that this reduces deficit. The Ex-Im reduces deficit. Every year for 20 years, since the enactment of the Credit Reform Act, it has transferred cash. The heck with the accounting system—cash. The reality is a lot of these small businesses don't have an alternative.

Steve Wilburn, who is the CEO of FirmGreen, stood before us last year and said: If you have got an alternative for my pending deal in Korea, tell me what it is. He lost the deal because of the cloud over Ex-Im. An Indian company got the job. This issue is about jobs.

Mr. WESTMORELAND. Mr. Chairman, I don't know what the gentleman is talking about with regard to reality because the reality is that my constituents are losing jobs, and that is not fair.

I believe the gentleman is an attorney. All we want is an opportunity to go to the people who can make a decision and ask them to make that decision within 60 days. I am not going to go to the attorney who is fighting me and say: ''Hey, here is my analysis—or here is my thing. Take it, and give it to somebody else.'' That is the fox looking after the henhouse, and that is not the way we need to operate.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentlewoman has 2 minutes remaining.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. I thank the gentlewoman for yielding.

Mr. Chairman, this already is allowed in the current charter. I know the gentleman from Georgia wants to play political games, but this is already happening. Yes, it is. This is just another attempt to try to kill the Bank—to keep it dead, to bury it.

It is sad, Mr. Chairman. We worked on this reform package—this Republican reform package—for a year and a half. Where was the gentleman from Georgia with his amendment? Mr. MULVANEY with his amendments? and the other Members in this body with their amendments during this year and a half? We didn't get to have a committee process, Mr. Chairman.

Mr. Chairman, where was the process by which he could offer his amendment? No, Mr. Chairman. They wait until they could try to bury the Bank here tonight and kill thousands of jobs and reward China and Russia.

We have to vote ''no'' on all of these amendments. Kill them all. Let's revive American jobs and do what is best for our constituents.

Mr. WESTMORELAND. Mr. Chairman, to the gentleman from Frog Jump, if he would read section 2(e)(7)(c) to (d), he would understand that my amendment tries to amend the procedure. Now, I know he wrote the perfect bill, but I am trying to help the gentleman perfect it.

Mr. Chairman, the other thing is I never saw the gentleman's bill. I never had a chance to amend the gentleman's bill. If the gentleman had allowed the open process—the right process—that the gentleman from Oklahoma talked about, then I would have had a chance to have offered my amendment; but, unfortunately, they chose to have a closed rule. So don't talk to me about process, because the process has not been followed here.

I just want to make it clear that all I am trying to do is the same thing as everybody here is doing. I am trying to represent my constituents. I think I deserve a chance to do that, and I think we deserve a chance to perfect the bill that Mr. FINCHER and the others brought to the floor under a discharge petition.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS), one of our champions on the reauthorization of the Ex-Im Bank.

Mr. LUCAS. I thank the ranking member.

Mr. Chairman, I will note to my colleagues that I think the world of the gentleman from Georgia. He is a wonderful fellow as he is trying to help his people, but politics is like life—a lack of action is an action. When there was no action to help move an Export-Import reauthorization bill this spring or this summer, then the opportunity to do all of these great things went away. We all knew it was going to expire in July, and the people in critical positions chose to let that happen. Discharge was just an opportunity to resurrect what has already died.

Now, I would say this:

Let's finish the process. Let's put it back on the books for 4 years. Let's start the hearing process. If there are reforms and changes that need to be made, then let's file a new bill, and let's go with it; but let's not stop the opportunities economically that are created by this in the intervening period of time.

Mr. Chairman, I would say respectfully to my friend from Georgia, who has out-Southerned me, you are wrong on this one, sir.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

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

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

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

AMENDMENT NO. 10 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 114–326.

Mr. YOUNG of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amend the table of contents by inserting after the item pertaining to section 62001 the following:

TITLE LXIII—REQUIREMENTS REGARDING RULE MAKINGS

Sec. 63001. Requirements regarding rule makings.

Page 988, insert after line 20 the following:

TITLE LXIII—REQUIREMENTS REGARDING RULE MAKINGS

SEC. 63001. REQUIREMENTS REGARDING RULE MAKINGS.

For each publication in the Federal Register required to be made by law and pertaining to a rule made to carry out this Act

or the amendments made by this Act, the agency making the rule shall include in such publication a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Iowa (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. YOUNG of Iowa. Mr. Chairman, I yield myself such time as I may consume.

We talk a lot about transparency and accountability around here. We hear about transparency and accountability needs from our constituents regarding the Federal Government. It is time to quit just talking the talk and walk the talk.

The question is: How do rulemakers get their conclusions? How do they come to a decision when they are working on rules and regulations?

They have certain science and data and criteria and analyses that they look at, but we don't often get to see that. We hear their conclusions, and we wonder: How did they get to that conclusion? They used science, data, and analyses.

My amendment simply says that those scientific tools, data, and analyses have to be made public and just posted online. It is pretty simple. The data they used needs to go online so we can see it all as well and have the same benchmark and be on the same page. Why shouldn't Americans have access to this as well? Why shouldn't we have a more transparent government? Just post a link on the Internet. Let's walk the talk on transparency.

This amendment has been approved before as part of the REINS Act that passed 249–159. Now, the REINS Act looked at the whole Federal Government, but this amendment just pertains to the Department of Transportation. I urge my colleagues to support this amendment. It is common sense. It is what our constituents demand—common sense and transparency.

I reserve the balance of my time.

Ms. MOORE. Madam Chair, I claim the time in opposition.

The Acting CHAIR (Ms. FOXX). The gentlewoman from Wisconsin is recognized for 5 minutes.

Ms. MOORE. Madam Chair, this amendment would not only undo all of Dodd-Frank but all financial market regulations past, present, and future. I support the cost-benefit analyses mandates that are already contained in Federal securities laws and in President Obama's executive orders.

This particular amendment, of course, is dilatory, and it would mean that rulemaking would take even longer as the SEC has struggled to meet the impossibly subjective economic cost-benefit standards to stave off upcoming court battles over competing economic impact projections.

Not only that, Madam Chair, but the most dangerous part about this initiative is that this would open the door to the most powerful industry participants. If it were possible to make rules, they could challenge the rules in a way that achieved their most narrow interests, and it would be to the detriment of investors or to the less affluent market participants. In this way, the most powerful industry interests would not only be able to use the courts to undo consumer protections, but they would also seek competitive advantages over competitors.

Current law already requires the SEC to conduct economic analyses, pursuant to the Paperwork Reduction Act, the Congressional Review Act, and the Regulatory Flexibility Act, as other agencies do.

I urge my colleagues to oppose this amendment.

Madam Chair, I reserve the balance of my time.

Mr. YOUNG of Iowa. Madam Chair, I yield myself such time as I may consume.

I heard my friend from the other side talk about the SEC and Dodd-Frank and executive orders. We are just, really, talking about any rules and regulations pertaining to this act—the transportation bill, primarily the Department of Transportation.

I believe that it is very important that we have more transparency and accountability in government. I do not see what is wrong with the American people being allowed to see the data, the cost-benefit analyses, the science, and the criteria of those who make these rules. What is so wrong with that, with being on the same page?

I simply ask my colleagues to support this amendment. Transparency and accountability, we talk about it a lot, but we don't do enough of it. I have some other great transparency and accountability amendments, and we will worry about those later. Right now, I am asking my colleagues to support transparency and accountability. Let the American people see how we make decisions that affect their lives.

Madam Chair, I reserve the balance of my time.

Ms. MOORE. Madam Chair, will the Chair advise me as to how much time I have remaining?

The Acting CHAIR. The gentlewoman from Wisconsin has 3 minutes remaining.

Ms. MOORE. Madam Chair, I appreciate the fact that the gentleman has claimed that he is restricting this to the highway bill; but, again, it is problematic because it would really impose cost-benefit analyses on all rulemaking under the highway bill, as amended.

It would require several rulemakings from the SEC that are related to emerging growth companies, private security transaction exemptions, and disclosure reforms. It would require the SEC to comply with this additional hurdle that is administratively burdensome and that opens up the SEC to additional litigation risks. It is not just limited to the transportation bill just in terms of its multiplier impact.

□ 2215

This legislation is just yet another veiled attempt to stop the Ex-Im Bank, which we have discussed earlier today, because it, again, would create a sufficiently high bar to pass new rulemaking and open up every SEC rule to ongoing litigation.

I reserve the balance of my time.

Mr. YOUNG of Iowa. Mr. Chair, I yield myself such time as I may consume.

Transparency is a good thing. Shining sunlight is a good thing. It is the best disinfectant out there.

Why can't we know, the American people, the science and the cost benefit behind the rules and regulations that are inflicted upon the American people, good or bad, whatever they are?

Madam Chairman, the other side, my friend mentioned the Ex-Im Bank. I am not in that battle with this amendment. This is just about general rules and regulations, the science behind them. Why can't the American people know what it is? We will all be on the same playing field, so we know what we are talking about. It is a good thing.

I reserve the balance of my time.

Ms. MOORE. Madam Chair, this has been misnamed as a transparency bill. It is not a transparency bill. This cost benefit bill literally is a race-to-the-courthouse bill, and we would just be in an endless litigious position.

We are already late with the transportation bill. We have already created great uncertainty for all of our cities, counties, and towns in America. Why would we now want to subject our broken bridges and our broken transportation system to yet another dilatory tactic that sort of slows down our ability to create good jobs and to fix our infrastructure?

Madam Chair, I would urge all Members to vote against this initiative because it is wrong-headed at a time when we really need to get our transportation infrastructure improvements back on track.

I yield back the balance of my time.

Mr. YOUNG of Iowa. Madam Chair, I yield myself the balance of my time to close.

So we can't find out what the science is. At the same time, we don't even know who these nameless, faceless folks are in the bureaucracy who are putting out these rules and regulations. Why are we to be left in the dark? What is wrong with transparency? Sunlight is the best disinfectant. The American people are tired of this, are tired about this veil around our government.

I don't care what administration it is, Republican, Democrat, why should it matter. I put my name on a bill and amendment. You do, too. These rules and regulations that come out, we have no idea who these people are. They could be very well intended and that is fine. We don't know what their titles are either. Are they experts in their fields? We don't know. Where is the transparency?

This amendment passed in a bipartisan way before. I am asking for my colleagues to support it this time.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. YOUNG).

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

Ms. MOORE. Madam Chairman, I demand a recorded vote.

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114–326 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. PERRY of Pennsylvania.

Amendment No. 2 by Mr. MULVANEY of South Carolina.

Amendment No. 3 by Mr. MULVANEY of South Carolina.

Amendment No. 4 by Mr. MULVANEY of South Carolina.

Amendment No. 5 by Mr. MULVANEY of South Carolina.

Amendment No. 6 by Mr. MULVANEY of South Carolina.

Amendment No. 7 by Mr. ROTHFUS of Pennsylvania.

Amendment No. 8 by Mr. ROYCE of California.

Amendment No. 9 by Mr. SCHWEIKERT of Arizona.

Amendment No. 23 by Mr. WESTMORELAND of Georgia.

Amendment No. 10 by Mr. YOUNG of Iowa.

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

AMENDMENT NO. 1 OFFERED BY MR. PERRY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 121, noes 303, not voting 9, as follows:

[Roll No. 607]

AYES—121

Abraham
Allen
Amash
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Loudermilk
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—303

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—9

Babin
DeFazio
Ellmers (NC)
Meeks
Rice (NY)
Sinema
Takai
Wagner
Wilson (FL)

□ 2245

Messrs. KILDEE and RUSH changed their vote from ''aye'' to ''no.''

Messrs. WEBSTER, HURT of Virginia, and Ms. JENKINS of Kansas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BABIN. Madam Chair, on rollcall No. 607, my voting card didn't register. Had I been present, I would have voted "yes."

AMENDMENT NO. 2 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) 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 117, noes 309, not voting 7, as follows:

[Roll No. 608]

AYES—117

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot

Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Graves (GA)
Graves (LA)
Grayson
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—309

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Gowdy
Graham
Granger
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—7

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Sinema
Takai
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2249

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the ayes 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 124, noes 302, not voting 7, as follows:

[Roll No. 609]

AYES—124

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Brooks (AL)
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Grayson
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walberg
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—302

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meehan
Meng
Mica
Miller (MI)
Moolenaar

Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—7

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Sinema
Takai
Waters, Maxine

□ 2253

Mr. BYRNE changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) 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 116, noes 308, not voting 9, as follows:

[Roll No. 610]

AYES—116

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Grayson
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—308

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—9

DeFazio
Ellmers (NC)
Emmer (MN)
Loudermilk
Meeks
Nolan
Ribble
Sinema
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2256

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the ayes 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 117, noes 308, not voting 8, as follows:

[Roll No. 611]

AYES—117

Abraham
Allen
Amash
Babin
Barr
Barton
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Grayson
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaHood
LaMalfa
Lamborn

Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—308

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—8

Conyers
DeFazio
Ellmers (NC)
Loudermilk
Meeks
Rice (NY)
Sinema
Takai

□ 2300

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SINEMA. Madam Chair, on rollcall Nos. 607, 608, 609, 610, 611, I was unavoidably detained. Had I been present, I would have voted "no" on each of these rollcall votes.

AMENDMENT NO. 6 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) 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 114, noes 314, not voting 5, as follows:

[Roll No. 612]

AYES—114

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walberg
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—314

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell

Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2303

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. ROTHFUS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS) 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 115, noes 313, not voting 5, as follows:

[Roll No. 613]

AYES—115

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Grayson
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—313

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

□ 2307

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. ROYCE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROYCE) on which further proceedings were postponed and on which the ayes 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 183, noes 244, not voting 6, as follows:

[Roll No. 614]

AYES—183

Abraham
Allen
Amash
Babin
Barr
Barton
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Costello (PA)
Culberson
Curbelo (FL)
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Love
Lummis
Maloney, Sean
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers

McSally
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Roby
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—244

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Marino
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Mica
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Trott
Tsongas
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Womack
Yarmuth

NOT VOTING—6

Blum
DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2310

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT) 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 133, noes 295, not voting 5, as follows:

[Roll No. 615]

AYES—133

Abraham
Allen
Amash
Babin
Barr
Barton
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Brooks (AL)
Buck
Burgess
Byrne
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Griffith
Guthrie
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Roby
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Thornberry
Tipton
Walberg
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoho
Young (IA)
Young (IN)

NOES—295

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton

Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Yoder
Young (AK)
Zeldin
Zinke

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2314

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND) 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 129, noes 298, not voting 6, as follows:

[Roll No. 616]

AYES—129

Abraham
Allen
Amash
Babin
Barr
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Graves (GA)
Grayson
Griffith
Guthrie
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Nunes
Olson
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—298

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Gowdy
Graham
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—6

DeFazio
Ellmers (NC)
Joyce
Loudermilk
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2318

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. YOUNG) on which further proceedings were postponed and on which the ayes 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 236, noes 192, not voting 5, as follows:

[Roll No. 617]

AYES—236

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

McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Valadao
Wagner
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—192

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Collins (NY)
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harper
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rogers (KY)
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

□ 2321

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LOUDERMILK. Madam Chair, on rollcall Nos. 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, I was unavoidably detained. Had I been present, I would have voted "yes."

AMENDMENT NO. 11 OFFERED BY MR. POMPEO

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 114–326.

Mr. POMPEO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after the item relating to section 62001, insert the following:

Sec. 62002. GAO report on refunds to registered vendors of kerosene used in noncommercial aviation.

Page 988, after line 20, insert the following:

SEC. 62002. GAO REPORT ON REFUNDS TO REGISTERED VENDORS OF KEROSENE USED IN NONCOMMERCIAL AVIATION.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study regarding payments made to vendors of kerosene used in noncommercial aviation under section 6427(l)(4)(C)(ii) of the Internal Revenue Code of 1986, and

(2) submit to the appropriate committees of Congress a report describing the results of such study, which shall include estimates of—

(A) the number of vendors of kerosene used in noncommercial aviation who are registered under section 4101 of such Code,

(B) the number of vendors of kerosene used in noncommercial aviation who are not so registered,

(C) the number of vendors described in subparagraph (A) who receive payments under section 6427(l)(4)(C)(ii) of such Code,

(D) the excess of—

(i) the amount of payments which would be made under section 6427(l)(4)(C)(ii) of such Code if all vendors of kerosene used in noncommercial aviation were registered and filed claims for such payments, over

(ii) the amount of payments actually made under such section, and

(E) the number of cases of diesel truck operators fraudulently using kerosene taxed for use in aviation.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Kansas (Mr. POMPEO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. POMPEO. Madam Chair, I yield myself such time as I may consume.

Madam Chairman, I rise in support of my amendment to have the GAO study an important issue that goes to the fairness of our transportation user-fee system. For a decade, Congress has been diverting millions of dollars in tax revenue into the highway trust fund at the expense of the general aviation community. This provision, commonly known as the fuel fraud tax, was included in the 2005 highway bill. It was originally created to fight a problem that didn't exist and has now diverted hundreds of millions of dollars from aviation into the highway trust fund.

This is simply unfair. It has to be fixed. The highway trust fund should and must be supported by the user-fee system, just as the aviation community is supported by a fuel tax.

Madam Chair, hopefully we can all agree that general aviation should not be paying for this highway infrastructure. At the very least, revenues paid by U.S. aviators under the fuel fraud provision should be reinvested in modernizing our Nation's airports and their navigation system.

I look forward to working with Chairman SHUSTER and the ranking member on this important issue, and I urge my colleagues to vote for this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. POMPEO).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. FOSTER

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 114–326.

Mr. FOSTER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after the item relating to section 62001, insert the following:

Sec. 62002. Determination of certain spending and tax burdens by State.

Page 988, after line 20, insert the following:

SEC. 62002. DETERMINATION OF CERTAIN SPENDING AND TAX BURDENS BY STATE.

(a) CALCULATION OF FEDERAL REVENUE CONTRIBUTIONS BY STATE.—

(1) IN GENERAL.—The Secretary of Treasury, acting through the Commissioner of the Internal Revenue Service, shall calculate the Federal tax burden of each State for each calendar year.

(2) CALCULATION OF FEDERAL TAX BURDEN.—For purposes of calculating the Federal tax burden of each State under paragraph (1), the Secretary shall—

(A) treat Federal taxes paid by an individual as a burden on the State in which such individual resides; and

(B) treat Federal taxes paid by a legal business entity as a burden on each State in which economic activity of such entity is performed in the same proportion that the economic activity of such entity in such State bears to the economic activity of such entity in all the States.

(3) REPORT.—Not later than the date that is 180 days after the beginning of each calendar year, the Secretary of the Treasury shall—

(A) submit to Congress a report containing the results of the calculations described in sections 1 and 2 with respect to such calendar year; and

(B) publish the report on a publicly accessible website of the Internal Revenue Service.

(b) ANNUAL REPORT ON THE FLOW OF TRANSPORTATION FUNDS BY STATE.—

(1) IN GENERAL.—Not later than the first Monday in February of each year, the Secretary of Transportation shall, in consultation with the Secretary of the Treasury, submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, and the Committee on Ways and Means of the House of Representatives a report that includes—

(A) a description of the total amount of the funds authorized by this Act which were obligated with respect to each State during the last ending fiscal year,

(B) a description of the total amount of revenue contributed from each State to the Highway Trust Fund during such fiscal year.

(2) DETERMINATION OF STATE AMOUNTS.—For purposes of this subsection—

(A) IN GENERAL.—the State with respect to which an amount is obligated and the State from which revenue is contributed shall be determined under principles similar to the principles for determining the Federal tax burden of each State under subsection (a).

(B) SPECIAL RULE FOR GENERAL FUND TRANSFERS.—For purposes of paragraph (1)(B), any transfer from the general fund of the Treasury to the Highway Trust Fund during any fiscal year shall be taken into account as revenue contributed from each State in proportion to each State's Federal tax burden (as determined under subsection (a)) for the calendar year in which such fiscal year began.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Illinois (Mr. FOSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Madam Chairman, I thank the chairman and ranking member for their hard work on this bill.

Madam Chairman, my amendment is simple. It requires the Department of Transportation to send an annual report to Congress on how much funding each State has received from the highway trust fund and how much each State has contributed to the highway trust fund both directly through the gas tax and related fees and taxes and indirectly through transfers from the general fund.

To understand why this is important, let's step back and ask how it is that we actually decide how much transportation money is spent in each State. The bulk of this funding takes the form of formula grants to States with overall allocations often set by whatever was done in previous years. This may tell us a lot about congressional politics in years gone by, but it tells us very little about good public policy.

All of this serves as a smokescreen which begs the real question: How do we actually allocate our highway spending?

Now, I am a scientist, and I look at the facts. As far as I can tell, here are the facts.

This is a plot here that shows the annual per capita spending from the highway trust fund plotted against the number of U.S. Senators per 10 million people, which I will explain in a moment.

Madam Chair, I include this in the RECORD.

State	Per Capita Apportionment from HTF ($/Year)	Senators Per 10 Million People
Alabama	151	4.12
Alaska	657	27.15
Arizona	105	2.97
Arkansas	168	6.74
California	91	0.52
Colorado	96	3.73
Connecticut	135	5.56
Delaware	175	21.38
Dist. of Col.	234	30.35
Florida	92	1.01
Georgia	123	1.98
Hawaii	115	14.09
Idaho	169	12.24
Illinois	107	1.55
Indiana	139	3.03
Iowa	153	6.44
Kansas	126	6.89
Kentucky	145	4.53
Louisiana	146	4.30
Maine	134	15.04
Maryland	97	3.35
Massachusetts	87	2.96
Michigan	103	2.02
Minnesota	115	3.66
Mississippi	156	6.68
Missouri	151	3.30
Montana	387	19.54
Nebraska	148	10.63
Nevada	123	7.04
New Hampshire	120	15.07
New Jersey	108	2.24
New Mexico	170	9.59
New York	82	1.01
North Carolina	101	2.01
North Dakota	324	27.05
Ohio	112	1.73
Oklahoma	158	5.16
Oregon	122	5.04
Pennsylvania	124	1.56
Rhode Island	200	18.95
South Carolina	134	4.14
South Dakota	319	23.44
Tennessee	125	3.05
Texas	124	0.74
Utah	114	6.80
Vermont	313	31.92
Virginia	118	2.40
Washington	93	2.83
West Virginia	228	10.81
Wisconsin	126	3.47
Wyoming	423	34.24

Mr. FOSTER. Madam Chair, this plot shows the excellent correlation between the per capita transportation fund spending in each State with the number of Senators per person that the State has. And that says a lot about how broken our transportation trust fund allocations are.

So how do we allocate transportation spending? Is it calculated per capita, with each American getting roughly the same amount of transportation spending? If this were the case, then transportation money would ultimately follow Americans to whatever States they chose to live in and could be applied to the best use in each State: elegant mass transportation systems in urban States, highways through the wilderness in rural States, and well-maintained commuter highways in suburban States. Spending in this way would not be a distortion of our economy.

But, Madam Chairman, that is not what we do. In fact, per capita transportation spending varies by more than a factor of seven from State to State driven by a mysterious formulae handed down from generation to generation in Congress. So, in my State of Illinois, we get about $107 per person per year in transportation spending, and I have a hard time explaining to my constituents why citizens of other States should get $200, $400, $600, or more every year in Federal highway spending.

□ 2330

The States that are getting rooked like this generally are the larger States, as can be seen on this plot. In order to rectify this, I actually filed an amendment to replace the complex historical formulae with a simple per capita allotment, which would have benefited the States which contain 240 Members of the U.S. Congress. I was very disappointed that it was decided that this amendment would not be in order.

Or perhaps we should divide the highway trust fund by economic productivity and actual highway usage. In this case, each State should take out from the Federal highway trust fund the same amount that it paid in in taxes. This approach would have an element of basic fairness and eliminate the economic distortions from massive transfers of wealth between the States.

But that is not what we do either. Many States are getting out of the Federal highway trust fund several times more money than they paid into it, while other States, States like Illinois, New York, Florida, New Jersey, California, Michigan, Colorado, and many others are getting rooked. So the highway trust fund has simply become a vehicle for a massive redistribution of wealth from one State to another.

Getting to the bottom of this is what my amendment is about. My amendment would require the Department of Transportation to calculate in each year how much each State receives from the highway trust fund. The report would also include an accounting of how much revenue each State put into the highway trust fund through both the gas tax and related contributions and contributions that were made through funds transferred from general revenue.

While it is relatively easy to figure out how much revenue was collected from each State via the gas tax or personal income tax, determining the same for business tax is less straightforward. A business, for example, may file its taxes in Delaware, but most of its economic production might occur in a factory in Ohio.

My amendment would require the IRS to assist the Department of Transportation in this analysis by looking not just at where a company files its taxes, but the State in which those tax dollars are generated. This kind of analysis has sporadically been done by private entities and nonprofits, but there has never been a sustained effort by the Federal Government to do so.

I urge my colleagues to join me and vote ''yes'' on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. WILLIAMS

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 114–326.

Mr. WILLIAMS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 563, line 15, insert ''primarily'' before ''engaged''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. WILLIAMS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. WILLIAMS. Madam Chair, I am a second-generation auto dealer. I have been in the industry for most of my life. I know it well.

As such, my one-word amendment will fix Senate language that puts unintentional new burdens on all rental car establishments.

My amendment will clarify the Senate language so it only applies to actual rental car companies, like it is supposed to.

The definition in the underlying bill, which the House never passed, is so broad that it sweeps up dealers who offer loaner vehicles or rentals as a convenience for their customers. My amendment leaves the regulations on all rental car companies, which compromise 99 percent of the market, intact.

The Senate language is flawed because it simply is not tailored to small business. For example, under the bill, vehicles would be grounded for weeks or months for such minor compliance matters as an airbag warning sticker that might peel off the sun visor or an incorrect phone number printed in the owner's manual. The regulations in this bill are not proportionate.

Another problem is that this bill favors multinational rental car companies at the expense of small businesses. This bill will regulate a small-business dealer with a fleet of five loaner vehicles the same way it would regulate a massive rental car company with hundreds of thousands of vehicles in their fleet.

The bill even allows large rental car companies additional compliance time, which further disadvantages small businesses. Madam Chair, large businesses have regulatory and legal staffs available on-hand to help with this burden, and they have the capital to pay millions of dollars in regulatory compliance costs.

The average small-business owner, however, is his or her own legal and regulatory staff. Without my amendment, this bill would impose new government inspections, additional recordkeeping requirements, and new penalties up to $15 million on small businesses.

The Senate bill also gives the National Highway Traffic Safety Administration the authority to add more regulatory burdens as appropriate, and that is too open-ended.

Without my amendment, this bill could make it impractical for small-business dealers to provide loaner or rental cars to their customers because it mandates vehicles be grounded for minor compliance matters with a minimal impact on safety, and that is not what Congress' intent is or should be.

Madam Chair, in tax law, employment law, and other areas, Congress has recognized the difference between big business and small business. Let's not regulate our Main Street businesses like multinational corporations. Frankly, Main Street is hurting enough as it is.

Vote ''yes'' on the Williams amendment.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chair, Mr. WILLIAMS' amendment unreasonably limits the application of the Raechel and Jacqueline Houck Safe Rental Car Act that is included in the Senate amendments to H.R. 22.

I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS), the woman who has really been a leader for safety in the car rental field.

Mrs. CAPPS. Madam Chair, I thank my colleague for yielding.

Madam Chair, I rise in strong opposition to the Williams amendment.

This amendment would needlessly exempt auto dealers from critical vehicle safety requirements included in the underlying bill.

While Federal law currently prohibits auto dealers from selling new cars subject to a recall, there is no similar law prohibiting rental companies or auto dealers from renting or loaning out unrepaired recalled vehicles.

I introduced the Raechel and Jacqueline Houck Safe Rental Car Act to close this loophole and prohibit rental car companies and auto dealers from renting or loaning vehicles under safety recall until they are fixed, and I am pleased this legislation is in the underlying bill.

This harmful amendment, however, would put lives at risk by exempting auto dealers from complying with this commonsense safety requirement.

GM, Honda, Chrysler, and other car manufacturers who have issued safety recalls, are loaning out tens of thousands of cars to customers while the repairs are being made. Consumers expect that the loaner cars they receive when they take their own cars into a dealership for repairs are safe to drive. But rather than ensure these loaners are safe, the Williams amendment would allow car dealers to give out loaner cars that have the same exact defect as the car that is being repaired.

The auto dealers are justifying this amendment by claiming that some safety recalls aren't actually important enough to require immediate repairs. This is ridiculous. NHTSA does not issue frivolous recalls. All safety recalls pose serious safety risks and should be fixed as soon as possible. Any claim otherwise is simply not true.

Madam Chair, it only takes one car with an unrepaired safety recall to tragically end a life. That is what happened to Raechel and Jackie Houck when their rented PT Cruiser caught fire and crashed into a tractor-trailer due to an unrepaired recall. And that is what happened to Jewel Brangman when she was killed by the unrepaired Takata airbag in her rented Honda Civic.

Loaned cars from auto dealers should be no different. The Williams amendment would let these auto dealers off the hook and allow them to loan out defective cars to unsuspecting consumers. It creates a nonsensical double standard for rentals and loaner cars not based on how unsafe they are, but based on who is renting or loaning them to the public. Keeping unrepaired recalled cars parked in the lot and out of the hands of consumers is common sense.

I urge my colleagues to join me in opposing the Williams amendment to ensure all consumers can be confident that their rental car or their loaner car is safe to drive, regardless of whether they get it from a rental company or a dealership.

Ms. SCHAKOWSKY. Madam Chair, I thank the gentlewoman for her leadership.

I understand that everyone has car dealerships in their districts and they are an important part of our economy, but this amendment serves one purpose and one purpose only: allowing car dealers and rental car companies to evade responsibility.

Just like rental car companies, car dealerships rent and lease vehicles regularly. And just like rental car companies, car dealerships should not be renting or leasing cars that are subject to a safety recall without first repairing the defect. These are safety recalls on cars the auto manufacturers themselves have deemed necessary to repair.

Can you imagine bringing your car to a dealer to get a deadly Takata airbag replaced and then being given a loaner car with the same deadly Takata airbag to drive while your car is being repaired? That is the situation that this amendment would allow.

Of all those subjected to the Safe Rental Car Act, car dealerships are in the best position to fix these recalled cars quickly.

Instead of this amendment, which weakens the Senate provision, the Rules Committee should have made in order the gentlewoman's amendment expanding the provision to ensure used cars are not sold until recalls are fixed.

Whether or not renting cars is the company's primary business makes no business. A defective car is a defective car.

Rental companies and auto dealers alike have a responsibility to their customers, and we have a responsibility to ensure that consumers' lives are not put at risk.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. WILLIAMS. Madam Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY), my good friend who is an auto dealer.

Mr. KELLY of Pennsylvania. I thank the gentleman.

Madam Chair, I am fascinated. I have been here for 5 years. And the fact is that people who don't have any idea about how a business is run are constantly telling people how to run their business; they are people who don't have the foggiest idea of who auto dealers are or who our responsibility is to and the fact that all recalls are not created equal.

There is not a single person in our business that would ever put one of our owners in a defective car or a car with a recall. But that could happen. That could happen.

So if you are telling me that, because the wrong phone number is printed in an owner's manual, that is a recall, we have to get that car off the road, my God, can you imagine what would happen to this owner if they opened up that glove box and saw that? What a horrible situation to put them in. Now, you shake your heads and you say, no, that is not what is going on.

Now, please, this is what I do. This is who I am. We are a third-generation automobile business, sold thousands of cars. And these people are not just customers. They are our part of our extended families.

But somehow we believe that, if we can redefine, if we can tell people: ''This car has been recalled. You can't possibly get in it'' and you say: ''Well, what is the recall?'', well, you know what? One pound per square inch on the tire pressure is not printed correctly. That is horrible. How could that possibly be? You have got to get that car off the road.

You are subjecting automobile dealers to the same things that you are subjecting rental car companies who don't have to worry about it because, by the way, as those cars come off the road in a recall, the factories pay them for those cars as they sit waiting to be repaired. There is no loss of revenue for a rental car company. That is why they are so happy about it.

And what will they do with us when we take a car off the road? They will say: ''Send your customer to us and we will rent them a car.''

If you can't see the difference, if you can't see the unequal balance in it, then there is a problem here. If a safety recall is a safety recall, that is one thing. But if it is something else that is cosmetic, that is something altogether different, to group them all under the same umbrella and say: ''This is a problem. This is a problem hunting for some type of an issue and there is no issue here. There is none of us in our business that would ever put any of our owners in an unsafe car.

But I will tell you what. I wish some of these ridiculous amendments would expire.

The Acting CHAIR. The time of the gentleman has expired.

□ 2345

Mr. WILLIAMS. Madam Chair, I yield myself the balance of my time.

Auto dealers, much like us here in Washington, D.C., have a reputation to uphold. No auto dealer in his right mind would loan a vehicle to his customers that is unsafe to drive or operate. Auto dealers should not have to ground all of their loaner vehicles because of minor issues like a sticker that might peel off the sun visor because something was misspelled in the owner's manual. Auto dealers want to provide great service and be able to loan their customers vehicles so they can go to work, drop their kids off at school, go to the grocery store, and visit the doctor. These small business owners should not be regulated like huge, multinational car rental agencies.

I urge Members to support my amendment and protect small businesses.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. WILLIAMS).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. KINZINGER OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 114–326.

Mr. KINZINGER of Illinois. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XXXIV of division C, add the following:

SEC. 34216. AVAILABILITY OF CERTAIN INFORMATION ON MOTOR VEHICLE EQUIPMENT.

Section 30118 of title 49, United States Code, is amended by adding at the end the following:

''(f) INFORMATION ON DEFECTIVE OR NONCOMPLIANT PARTS.—

''(1) PROVISION OF INFORMATION BY SUPPLIERS.—A supplier of parts that are determined to be defective or noncompliant by the Secretary under subsection (a) or (b) shall identify all parts that are subject to the recall and provide to the Secretary and each affected manufacturer, not later than 3 business days after receiving notification of the determination, for each affected part—

''(A) all part names;

''(B) all part numbers; and

''(C) a description of the part.

''(2) PROVISION OF INFORMATION BY MANUFACTURERS.—Upon receipt of notification of a determination by the Secretary under subsection (a) or (b) or notification from a supplier of parts under paragraph (1), a manufacturer of motor vehicles shall—

''(A) identify the vehicle identification number for each affected vehicle; and

''(B) not later than 5 business days after receiving such notification, provide to the Secretary, in a searchable format determined by the Secretary—

''(i) the vehicle identification numbers identified under subparagraph (A); and

''(ii) the specific part names, numbers, and descriptions used by the manufacturer for all affected parts the sale or lease of which is prohibited by section 30120(j).

''(3) AVAILABILITY OF INFORMATION ON THE INTERNET.—In the case of information provided by a manufacturer under paragraph (2)(B), the Secretary shall make such information available, or require the manufacturer to make such information available, on an Internet website that may be accessed by any person who sells or leases motor vehicle equipment for purposes of assisting such person in complying with section 30120(j). Such information shall be made available in real-time or near-real-time as provided under paragraph (2)(B) and at no cost to the person obtaining access.

''(g) INFORMATION ON ORIGINAL EQUIPMENT.—Not later than July 31, 2016, a manufacturer of motor vehicles shall make available on an Internet website information about the original equipment contained in such vehicles, which shall include—

''(1) all parts or component numbers for such equipment; and

''(2) specific part names and descriptions associated with each manufacturer vehicle identification number.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Illinois (Mr. KINZINGER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. KINZINGER of Illinois. Madam Chair, I yield myself such time as I may consume.

I rise today to offer an amendment that would improve vehicle safety and ensure that businesses have the necessary information to comply with section 8 of the TREAD Act.

Every day, professional automotive recyclers sell over a half a million original equipment manufacturer parts which are harvested from total loss or end-of-life vehicles and are resold to consumers, repair shops, and dealers. These parts are designed by automakers and are manufactured to meet their requirements. Even when a vehicle may reach the end of its useful life, many parts have a greater lifespan and can be subsequently recycled, resold, and reused. This offers consumers with additional choice to purchase a quality recycled part at a lower cost.

In 2000, Congress enacted the TREAD Act to increase vehicle safety by prohibiting the resale of recycled auto parts that are subject to a recall and have not been remedied. Congress passed this legislation with the safety of the driving public in mind. However, the ability of professional automotive recyclers to identify and remove recalled parts from the supply chain is severely limited.

Earlier this year, Secretary Foxx responded to a question for the record on this subject following a House Transportation and Infrastructure Committee hearing. He recommended that

automotive manufacturers provide part number information in an efficient and easy-to-use format directly to recyclers and others who need the information to support auto safety. My amendment does just that and will ensure these businesses can identify such parts and remove them from their inventory.

Our friends in the European Union have already implemented regulations requiring such a system that includes the VIN, OE parts numbers, and the OE naming of the parts. I know we have the technological capabilities to similarly improve vehicle safety, and I am hoping that my colleagues will show their commitment to improving the recall process with an ''aye'' vote. Now is the time to pass this measure.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition, although I am not opposed to the amendment.

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

There was no objection.

Ms. SCHAKOWSKY. Madam Chair, while I am not going to oppose the amendment, I do have some questions about it.

For this reason, it seems to me that this amendment is not likely to be all that effective in getting defective parts off the market: It only requires parts suppliers and automakers to supply information when a recall is first ordered by the Secretary of Transportation. It does not apply in the most common recall scenario when a manufacturer provides notice of a recall.

So NHTSA is going to be asked to expend valuable resources to set up a new system for auto part information, and that system, it seems to me, should at least be effective in getting defective parts off the market and off the roads in all circumstances of recalls.

Madam Chair, I yield back the balance of my time.

Mr. KINZINGER of Illinois. I appreciate my friend from Illinois' response. I would be happy to work with her in the future on this.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. KINZINGER).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MS. SCHAKOWSKY

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 114–326.

Ms. SCHAKOWSKY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 574, insert after line 6 the following new sections:

SEC. 34216. IMPROVED VEHICLE SAFETY DATABASES.

Not later than 2 years after the date of enactment of this Act, the Secretary shall increase public accessibility to and timeliness of information on the National Highway Traffic Safety Administration's vehicle safety databases including by—

(1) improving organization and functionality, including modern web design features, and allowing for data to be searched, aggregated, and downloaded;

(2) providing greater consistency in presentation of vehicle safety issues;

(3) improving searchability about specific vehicles and issues through standardization of commonly used search terms and the integration of databases to enable all to be simultaneously searched using the same keyword search function; and

(4) improving the publicly accessible early warning database, by—

(A) enabling users to search for incidents across multiple reporting periods for a given make and model name, model year, or type of potential defect; and

(B) ensuring that search results, in addition to being downloadable, are sortable within an Internet browser by make, model name, model year, State or foreign country of the incident, number of deaths, number of injuries, date of the incident, and type of potential defect.

SEC. 34217. IMPROVED USED CAR BUYERS GUIDE.

In addition to the information already required to be included pursuant to section 455.2 of title 16, Code of Federal Regulations (the Used Motor Vehicle Trade Regulation Rule), the Buyers Guide window form shall include—

(1) a statement of the vehicle's brand history, total loss history, and salvage history according to the vehicle's National Motor Vehicle Title Information System (NMVTIS) vehicle history report, the date on which the dealer obtained the vehicle history report, and the website where a consumer can obtain a vehicle history report; and

(2) a statement of the vehicle's recall repair history according to the vehicle identification number search tool established pursuant to section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note), the date on which the used vehicle dealer obtained the recall repair history, and the website where a consumer may obtain this information.

SEC. 34218. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.

(a) RULE.—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records, including documents, reports, correspondence, or other materials that contain information concerning malfunctions that may be related to motor vehicle safety (including any failure or malfunction beyond normal deterioration in use, or any failure of performance, or any flaw or unintended deviation from design specifications, that could in any reasonably foreseeable manner be a causative factor in, or aggravate, an accident or an injury to a person), for a period of not less than 20 calendar years from the date on which they were generated or acquired by the manufacturer. Such requirement shall also apply to all underlying records on which information reported to the Secretary under part 579 of title 49, Code of Federal Regulations, is based.

(b) APPLICATION.—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

SEC. 34219. ELIMINATION OF REGIONAL RECALLS.

Section 30118 of title 49, United States Code, is amended by adding at the end the following new subsections:

''(f) LONG-TERM EXPOSURE TO ENVIRONMENTAL CONDITIONS.—If a manufacturer of a motor vehicle or replacement equipment learns the vehicle or equipment contains a safety problem caused by long-term exposure to environmental conditions, the manufacturer shall give notice under subsection (c) as if the manufacturer learned the vehicle or equipment contains a defect and decides in good faith that the defect is related to motor vehicle safety.

''(g) NATIONAL ORDERS AND NOTIFICATIONS.—All orders under subsection (b)(2) and notifications under subsection (c) shall be carried out on a national basis and shall not be limited to vehicles or equipment in certain States or territories or other geographic regions of the United States. This paragraph shall not prevent the Secretary from permitting the prioritization of the shipment of replacement parts by geographic location when appropriate.''.

SEC. 34220. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) of title 49, United States Code, is amended by striking ''the motor vehicle or replacement equipment was bought by the first purchaser more than 10 calendar years, or''.

SEC. 34221. PEDESTRIAN SAFETY IMPROVEMENT RULE.

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of safety standards or performance requirements to reduce the number of injuries and fatalities suffered by pedestrians and other non-occupants who are struck by passenger motor vehicles.

(b) SPECIFICATIONS.—In carrying out subsection (a), the Secretary shall consider means for protecting especially vulnerable pedestrian and non-occupant populations, including children, older adults, and individuals with disabilities.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the completion of each testing and research initiative required under subsection (a), the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) REPORT.—If the Secretary determines that the standard described in paragraph (1) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) PASSENGER MOTOR VEHICLE DEFINED.—In this section, the term ''passenger motor vehicle''—

(1) means a motor vehicle (as defined in section 30102(a) of title 49, United States Code) that is rated at less than 10,000 pounds gross vehicular weight; and

(2) does not include—

(A) a motorcycle;

(B) a trailer; or

(C) a low speed vehicle (as defined in section 571.3 of title 49, Code of Federal Regulations).

SEC. 34222. RULEMAKING ON REAR SEAT CRASHWORTHINESS.

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of safety standards or performance requirements for the crashworthiness and survivability for passengers in the rear seats of motor vehicles.

(b) SPECIFICATIONS.—In carrying out subsection (a), the Secretary shall consider side- and rear-impact collision testing, additional airbags, head restraints, seatbelt fit, seatbelt airbags, belt anchor location, and any other factors the Secretary considers appropriate.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the completion of each research and testing initiative required under subsection (a), the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) REPORT.—If the Secretary determines that the standard described in paragraph (1) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Ms. SCHAKOWSKY. Madam Chair, in the wake of the GM and Takata recalls, it became apparent that major changes were needed to improve information sharing, enhance safety, and strengthen accountability measures. This amendment addresses some of those issues, and I urge my colleagues to support it.

Before I explain the contents of this amendment, it is important to explain what is not in the amendment.

There are no new civil penalties for companies that fail to adequately protect drivers and the public. There is no ''imminent hazard authority'' to enable NHTSA to get the most dangerous cars off the road as soon as possible. While I believe those changes are sorely needed, I knew that the Republican majority would oppose them. What is left are some of the more obvious reforms for auto safety, and there is no reasonable excuse to oppose the amendment.

This amendment would improve the functionality of the National Highway Traffic Safety Administration's Web site to enable better and more detailed searches, to standardize terms so that consistent problems can be identified faster, and to improve the early warning database so that consumers can determine whether a vehicle they drive or plan to drive has a history of dangerous incidents.

My amendment would also increase the amount of information provided to consumers who are purchasing or leasing used vehicles, including specific vehicle damage history and recall repair history. It would include that information in the Used Car Buyers Guide, which already must be posted on each used vehicle that is offered for sale; and it would inform consumers about the Web site, which is where they can find more information about their specific vehicle history.

The investigations into the GM and Takata failures were made more difficult by the fact that comprehensive safety records were not maintained by many manufacturers. This amendment would fix that by ensuring that those records are preserved for 20 years.

Auto manufacturers are not currently required to remedy recalled vehicles if those cars were sold more than 10 years before the recall. That makes no sense, especially when the average car on the road is more than 11 years old. This amendment would require all defects to be remedied at no cost to the car owner no matter how long the car has been owned.

With more than 30,000 deaths a year, we have a long way to go in reducing deaths and serious injuries on our roads. There are things we can and should do to enhance auto safety, and Congress has a long track record of doing just that.

For example, a bill I sponsored, which was signed into law by President Bush, established a rulemaking to require technologies that would enable drivers to see behind their vehicles. By 2018, rear cameras will be standard for all cars. That rule will prevent more than 100 deaths and many more injuries each year.

This amendment would require NHTSA to continue that progress by requiring research into technologies and then developing standards that could reduce injuries and deaths for rear seat passengers and pedestrians.

Finally, this amendment eliminates the flawed system of regional recalls. Regional recalls limit remedies to specific States. This prevents vehicles which have traveled across the country from being recalled.

Takata issued regional recalls for its airbags, but with high humidity being a factor in airbag explosions, it makes no sense that its regional recall missed, for example, Washington, D.C.—a swamp, with all due respect. While most of Takata's regional recalls were expanded nationally, not all of them were, and some drivers can't legally get their vehicles remedied free of charge. We can't allow this regional recall system to continue.

Again, these are commonsense, safety-focused provisions that would enhance consumer information, vehicle safety, and accountability.

I urge my colleagues to support this amendment.

Madam Chair, I reserve the balance of my time.

Mr. BURGESS. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. Madam Chair, for some time now, the Energy and Commerce Committee, its Subcommittee of Oversight and Investigations as well as its Subcommittee of Commerce, Manufacturing, and Trade, have been looking into recalls and automobile safety.

We have heard about problems within the National Highway Traffic Safety Administration and about problems within the automobile industry, itself. There is a lot to fix, and there are provisions to get after those issues in terms of recommendations from the Inspector General's Office.

Serious flaws of the basic operation of the National Highway Traffic Safety Administration were revealed earlier this year in a widely reported inspector general's report. In an unprecedented move after the inspector general's report was released, the National Highway Traffic Safety Administration publicly committed to a timeline to implement all of the inspector general's recommendations because of the serious and direct impact on NHTSA's ability to fulfill its core mission.

You do worry that the direction in which this amendment purports to now go is going to send resources in the wrong direction. It is going to be very, very friendly to the Plaintiff's Trial Bar, but, really, that is not where our focus should be. Of course, the Plaintiffs' Bar wants to be able to download, sort, and map all of the incidents attributable by an automaker so that they can file class action lawsuits—very, very good for the Plaintiffs' Bar, not necessarily so good for the consumer.

The problem is there is a real cost in going in this direction. More resources are diverted to defending non meritorious lawsuits, and that means less can go into safety and quality. Effectively, this provision starves the consumer in order to feed the Plaintiffs' Bar.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, how much time is remaining?

The Acting CHAIR. The gentlewoman from Illinois has 1 minute remaining.

Ms. SCHAKOWSKY. Madam Chair, I would say to my colleague, as the chairman of the subcommittee I serve on and that deals with auto safety, I know, for a very long time, he has certainly seen the legislation that I have offered in the past, and this is the first time that I have heard that argument.

The idea of this legislation was to pair down the bill that I had introduced into the kinds of safety enhancements that the gentleman and many of the Republicans on the committee also had in their legislation.

The goal is one thing: to make sure that we provide more safety, strengthen accountability, and that we share more information with consumers. The amendment addresses those issues. It has avoided, studiously, the more controversial parts of auto safety bills

that maybe, someday, we can come back to, but the goal was to get a good start.

I am disappointed that there is opposition to this amendment, but I still urge my colleagues to support it.

I yield back the balance of my time.

Mr. BURGESS. Madam Chair, I yield myself the balance of my time.

I would just restate that this amendment takes us in the wrong direction; so I urge my colleagues to vote in opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY).

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

Ms. SCHAKOWSKY. Madam Chair, I demand a recorded vote.

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

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AMENDMENT NO. 16 OFFERED BY MR. MULLIN

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 114–326.

Mr. MULLIN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title XXXIV insert the following new part:

PART IV—ALTERNATIVE FUEL VEHICLES

SEC. 34441. REGULATION PARITY FOR ELECTRIC AND NATURAL GAS VEHICLES.

(a) IN GENERAL.—In promulgating regulations, the Administrator of the Environmental Protection Administration shall ensure that any preference or incentive provided to an electric vehicle is also provided to a natural gas vehicle.

(b) REVISION OF EXISTING REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall revise any regulations of the Administrator in existence as of that date concerning electric vehicles as necessary to ensure that the regulations conform to subsection (a).

The Acting CHAIR. Pursuant to House Resolution 512, 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, the EPA currently regulates the tailpipe emissions of automobiles sold in the United States. In order to incentivize the use of alternative fuels, the agency provides regulatory credits to automakers that produce alternative fuel vehicles.

The EPA has provided greater incentives for manufacturers to produce electric vehicles rather than natural gas vehicles, even though natural gas is a growing and inexpensive source of fuel with a clean emission profile.

If we are going to incentivize alternative fuel vehicles, we need to make sure that natural gas vehicles are on a level playing field. My amendment does exactly that, encouraging the broader adoption of natural gas vehicles. It instructs EPA to provide the same incentives for the production of natural gas vehicles that it already provides for electric vehicles.

In States like mine in Oklahoma, natural gas is cheap, but filling stations for vehicles can be few and far between. Consumers are hesitant to buy natural gas vehicles because they are afraid they won't have access to filling stations.

The surface transportation bill encourages the build of natural gas refueling corridors. My amendment will add to the effort by encouraging automakers to produce the vehicles that will actually consume the natural gas fuel.

This is a commonsense amendment, pro competition, and a reform the auto industry needs. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chairman, I rise in opposition to the gentleman's amendment, which would undermine the Obama administration's historic vehicle fuel economy and tailpipe emission standards.

The EPA and the Department of Transportation rules provide huge benefits. They help consumers save money at the pump, reduce reliance on foreign oil, and reduce the carbon pollution that threatens our climate and our health. By 2025, these rules are expected to save American families $1.7 trillion on fuel costs, cut greenhouse gas emissions by 6 billion metric tons, and reduce America's dependance on oil by more than 2 million barrels per day.

These are rules that have been an overwhelming success due in large part to the high level of coordination and participation of multiple stakeholder groups in their development. We are talking about groups like automobile manufacturers, State and local governments, the United Auto Workers, consumer groups, environmental organizations, and the public. In short, these rules are good for American consumers, manufacturers, and the environment.

The Mullin amendment would undermine the success of existing and future car rules by requiring EPA to extend any ''preference or incentive'' provided to electric vehicles to natural gas vehicles as well.

The amendment also requires EPA to go back and make retroactive changes to the tailpipe rules already on the books. Some of these rules were finalized 3 years ago, and reopening these carefully coordinated negotiations makes no sense.

The Mullin amendment would effectively say that natural gas vehicles and electric vehicles are exactly the same, but they are fundamentally different in terms of their tailpipe emissions and the miles per gallon they get on the road.

Natural gas vehicles already receive numerous incentives under the tailpipe and fuel economy rules, and natural gas vehicles are an established and functioning technology, so there is little need to incentivize them further for reasons of technological innovation. This is in contrast with electric vehicles for whom many of the current incentives are designed.

The amendment is also not justified from a climate perspective. Electric vehicles have the potential to be game changers, especially with low greenhouse gas electricity. On the other hand, natural gas vehicles continue to depend on a fossil fuel with no such game-changing potential. Also, because natural gas is already a very viable fuel for heavy-duty vehicles, additional incentives would essentially be bonuses for using a fuel that would have been used anyway. So this would dilute the heavy-duty vehicle GHG program.

The Mullin amendment would give windfall incentives to automobile manufacturers that produce natural gas vehicles, creating a loophole that will allow them to produce other dirty and less efficient vehicles and still meet their tailpipe emissions and fuel economy requirements. This sets a dangerous precedent that subverts essential rules that were developed through an open public rulemaking process, including all stakeholders, and undermines critical U.S. energy conservation policies.

I reserve the balance of my time.

Mr. MULLIN. Madam Chair, I appreciate what the gentlewoman is stating. All we are trying to do is listen to the President, too, when he says he has an all-the-above approach on energy.

The gentlewoman states that electric vehicles are a clean way to drive around, but I must remind the gentlewoman that the power that they are charged by typically is produced by coal and natural gas power plants. So the argument that she is saying just simply doesn't make any sense.

The EPA has already said that their emissions fits within their profile. What we are saying is let's truly have an all-the-above approach and allow natural gas to be on a natural, clean playing field.

If we are going to talk about having a real conversation and not playing politics, then we shouldn't be playing winners and losers with this administration and the real fight, which is against—anti-fossil fuels altogether.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, my view is, if it ain't broke, don't fix it. We have had a good deal of success with the current rules, and to change the game plan right now, I think, is a disservice to consumers, to all the other stakeholders, including the auto manufacturers, the unions, the consumer groups, and everybody who has

weighed in and bought in to these rules.

So I would urge a ''no'' vote on the Mullin amendment.

I yield back the balance of my time.

Mr. MULLIN. Madam Chair, I obviously encourage a ''yes'' vote, and I encourage my colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

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

Ms. SCHAKOWSKY. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 17 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part B of House Report 114–326.

Mr. BURGESS. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 550, strike line 24 and all that follows through page 551, line 4, and insert the following:

(A) $31,270,000 for fiscal year 2016.

(B) $36,537,670 for fiscal year 2017.

(C) $42,296,336 for fiscal year 2018.

(D) $47,999,728 for fiscal year 2019.

(E) $54,837,974 for fiscal year 2020.

(F) $61,656,407 for fiscal year 2021.

Insert after subtitle D of title XXXIV the following new subtitle:

Subtitle E—Additional Motor Vehicle Provisions

SEC. 34501. REQUIRED REPORTING OF NHTSA AGENDA.

Not later than December 1 of the year beginning after the date of enactment of this Act, and each year thereafter, the Administrator of the National Highway Traffic Safety Administration shall publish on the public website of the Administration, and file with the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual plan for the following calendar year detailing the Administration's projected activities, including—

(1) the Administrator's policy priorities;

(2) any rulemakings projected to be commenced;

(3) any plans to develop guidelines;

(4) any plans to restructure the Administration or to establish or alter working groups;

(5) any planned projects or initiatives of the Administration, including the working groups and advisory committees of the Administration; and

(6) any projected dates or timetables associated with any of the items described in paragraphs (1) through (5).

SEC. 34502. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) of title 49, United States Code, is amended by striking ''10 calendar years'' and inserting ''15 calendar years''.

SEC. 34503. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.

(a) RULE.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records required to be maintained by manufacturers under section 576.6 of title 49, Code of Federal Regulations, for a period of not less than 10 calendar years from the date on which they were generated or acquired by the manufacturer.

(b) APPLICATION.—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

SEC. 34504. NONAPPLICATION OF PROHIBITIONS RELATING TO NONCOMPLYING MOTOR VEHICLES TO VEHICLES USED FOR TESTING OR EVALUATION.

Section 30112(b) of title 49, United States Code, is amended—

(1) in paragraph (8), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(10) the introduction of a motor vehicle in interstate commerce solely for purposes of testing or evaluation by a manufacturer that prior to the date of enactment of this paragraph—

''(A) has manufactured and distributed motor vehicles into the United States that are certified to comply with all applicable Federal motor vehicle safety standards;

''(B) has submitted to the Secretary appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations;

''(C) if applicable, has identified an agent for service of process in accordance with part 551 of such title; and

''(D) agrees not to sell or offer for sale the motor vehicle at the conclusion of the testing or evaluation.''.

SEC. 34505. TREATMENT OF LOW-VOLUME MANUFACTURERS.

(a) EXEMPTION FROM VEHICLE SAFETY STANDARDS FOR LOW-VOLUME MANUFACTURERS.—Section 30114 of title 49, United States Code, is amended—

(1) by striking ''The'' and inserting ''(a) VEHICLES USED FOR PARTICULAR PURPOSES.—The''; and

(2) by adding at the end the following new subsection:

''(b) EXEMPTION FOR LOW-VOLUME MANUFACTURERS.—

''(1) IN GENERAL.—The Secretary shall—

''(A) exempt from section 30112(a) of this title not more than 500 replica motor vehicles per year that are manufactured or imported by a low-volume manufacturer; and

''(B) except as provided in paragraph (4) of this subsection, limit any such exemption to the Federal Motor Vehicle Safety Standards applicable to motor vehicles and not motor vehicle equipment.

''(2) REGISTRATION REQUIREMENT.—To qualify for an exemption under paragraph (1), a low-volume manufacturer shall register with the Secretary at such time, in such manner, and under such terms that the Secretary determines appropriate. The Secretary shall establish terms that ensure that no person may register as a low-volume manufacturer if the person is registered as an importer under section 30141 of this title.

''(3) PERMANENT LABEL REQUIREMENT.—

''(A) IN GENERAL.—The Secretary shall require a low-volume manufacturer to affix a permanent label to a motor vehicle exempted under paragraph (1) that identifies the specified standards and regulations for which such vehicle is exempt from section 30112(a) and designates the model year such vehicle replicates.

''(B) WRITTEN NOTICE.—The Secretary may require a low-volume manufacturer of a motor vehicle exempted under paragraph (1) to deliver written notice of the exemption to—

''(i) the dealer; and

''(ii) the first purchaser of the motor vehicle, if the first purchaser is not an individual that purchases the motor vehicle for resale.

''(C) REPORTING REQUIREMENT.—A low-volume manufacturer shall annually submit a report to the Secretary including the number and description of the motor vehicles exempted under paragraph (1) and a list of the exemptions described on the label affixed under subparagraph (A).

''(4) EFFECT ON OTHER PROVISIONS.—Any motor vehicle exempted under this subsection shall also be exempted from sections 32304, 32502, and 32902 of this title and from section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

''(5) LIMITATION AND PUBLIC NOTICE.—The Secretary shall have 60 days to review and approve a registration submitted under paragraph (2). Any registration not approved or denied within 60 days after submission shall be deemed approved. The Secretary shall have the authority to revoke an existing registration based on a failure to comply with requirements set forth in this subsection. The registrant shall be provided a reasonable opportunity to correct all deficiencies, if such are correctable based on the sole discretion of the Secretary. An exemption granted by the Secretary to a low-volume manufacturer under this subsection may not be transferred to any other person, and shall expire at the end of the calendar year for which it was granted with respect to any volume authorized by the exemption that was not applied by the low-volume manufacturer to vehicles built during that calendar year. The Secretary shall maintain an up-to-date list of registrants on an annual basis and publish such list in the Federal Register or on a website operated by the Secretary.

''(6) LIMITATION OF LIABILITY FOR ORIGINAL MANUFACTURERS, LICENSORS OR OWNERS OF PRODUCT CONFIGURATION, TRADE DRESS, OR DESIGN PATENTS.—The original manufacturer, its successor or assignee, or current owner, who grants a license or otherwise transfers rights to a low-volume manufacturer shall incur no liability to any person or entity under Federal or State statute, regulation, local ordinance, or under any Federal or State common law for such license or assignment to a low-volume manufacturer.

''(7) DEFINITIONS.—In this subsection:

''(A) LOW-VOLUME MANUFACTURER.—The term 'low-volume manufacturer' means a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of this title, whose annual worldwide production is not more than 5,000 motor vehicles.

''(B) REPLICA MOTOR VEHICLE.—The term 'replica motor vehicle' means a motor vehicle produced by a low-volume manufacturer and that—

''(i) is intended to resemble the body of another motor vehicle that was manufactured not less than 25 years before the manufacture of the replica motor vehicle; and

''(ii) is manufactured under a license for the product configuration, trade dress, trademark, or patent, for the motor vehicle that is intended to be replicated from the original manufacturer, its successors or assignees, or current owner of such product configuration, trade dress, trademark, or patent rights.''.

(b) VEHICLE EMISSION COMPLIANCE STANDARDS FOR LOW-VOLUME MOTOR VEHICLE MANUFACTURERS.—Part A of title II of the Clean Air Act (42 U.S.C. 7521 et seq.) is amended—

(1) in section 206(a) by adding at the end the following new paragraph:

''(5)(A) A motor vehicle engine (including all engine emission controls) from a motor vehicle that has been granted a certificate of conformity by the Administrator for the model year in which the motor vehicle is assembled, or a motor vehicle engine that has been granted an Executive order subject to regulations promulgated by the California Air Resources Board for the model year in which the motor vehicle is assembled, may be installed in an exempted specially produced motor vehicle, if—

''(i) the manufacturer of the engine supplies written instructions explaining how to install the engine and maintain functionality of the engine's emission control system and the on-board diagnostic system (commonly known as 'OBD II'), except with respect to evaporative emissions diagnostics;

''(ii) the manufacturer of the exempted specially produced motor vehicle installs the engine in accordance with such instructions; and

''(iii) the installation instructions include emission control warranty information from the engine manufacturer in compliance with section 207, including where warranty repairs can be made, emission control labels to be affixed to the vehicle, and the certificate of conformity number for the applicable vehicle in which the engine was originally intended or the applicable Executive order number for the engine.

''(B) A motor vehicle containing an engine compliant with the requirements of subparagraph (A) shall be treated as meeting the requirements of section 202 applicable to new vehicles manufactured or imported in the model year in which the exempted specially produced motor vehicle is assembled.

''(C) Engine installations that are not performed in accordance with installation instructions provided by the manufacturer and alterations to the engine not in accordance with the installation instructions shall—

''(i) be treated as prohibited acts by the installer under section 203; and

''(ii) subject to civil penalties under the first and third sentences of section 205(a), civil actions under section 205(b), and administrative assessment of penalties under section 205(c).

''(D) The manufacturer of an exempted specially produced motor vehicle that has an engine compliant with the requirements of subparagraph (A) shall provide to the purchaser of such vehicle all information received by the manufacturer from the engine manufacturer, including information regarding emissions warranties from the engine manufacturer and all emissions-related recalls by the engine manufacturer.

''(E) To qualify to install an engine under this paragraph, a manufacturer of exempted specially produced motor vehicles shall register with the Administrator at such time and in such manner as the Administrator determines appropriate. The manufacturer shall submit an annual report to the Administrator that includes—

''(i) a description of the exempted specially produced motor vehicles and engines installed in such vehicles; and

''(ii) the certificate of conformity number issued to the motor vehicle in which the engine was originally intended or the applicable Executive order number for the engine.

''(F) Exempted specially produced motor vehicles compliant with this paragraph shall be exempted from—

''(i) motor vehicle certification testing under this section; and

''(ii) vehicle emission control inspection and maintenance programs required under section 110.

''(G) A person engaged in the manufacturing or assembling of exempted specially produced motor vehicles shall not be treated as a manufacturer for purposes of this Act by virtue of such manufacturing or assembling, so long as such person complies with subparagraphs (A) through (E).''; and

(2) in section 216 by adding at the end the following new paragraph:

''(12) EXEMPTED SPECIALLY PRODUCED MOTOR VEHICLE.—The term 'exempted specially produced motor vehicle' means a replica motor vehicle that is exempt from specified standards pursuant to section 30114(b) of title 49, United States Code.''.

(c) IMPLEMENTATION.—Not later than 12 months after the date of enactment of this Act, the Secretary of Transportation and the Administrator of the Environmental Protection Agency shall issue such regulations as may be necessary to implement the amendments made by subsections (a) and (b), respectively.

SEC. 34506. NO LIABILITY ON THE BASIS OF NHTSA MOTOR VEHICLE SAFETY GUIDELINES.

Section 30111 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(f) NO LIABILITY ON THE BASIS OF MOTOR VEHICLE SAFETY GUIDELINES ISSUED BY THE SECRETARY.—(1) No guidelines issued by the Secretary with respect to motor vehicle safety shall provide a basis for or evidence of liability in any action against a defendant whose practices are alleged to be inconsistent with such guidelines. A person who is subject to any such guidelines may use an alternative approach to that set forth in such guidelines that complies with any requirement in a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation.

''(2) No such guidelines shall confer any rights on any person nor shall operate to bind the Secretary or any person who is subject to such guidelines to the approach recommended in such guidelines. In any enforcement action with respect to motor vehicle safety, the Secretary must prove a violation of a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation. The Secretary may not build a case against or negotiate a consent order with any person based in whole or in part on practices of the person that are alleged to be inconsistent with any such guidelines.

''(3) A defendant may use compliance with any such guidelines as evidence of compliance with the provision of this subtitle, motor vehicle safety standard issued under this subtitle, or other statute or regulation under which such guidelines were developed.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, the thesis of this amendment is to secure good government reforms at the National Highway Traffic Safety Administration.

We want to make certain that we are able to exercise strong oversight of the National Highway Traffic Safety Administration, and we want to make certain that NHTSA is staying within its authorized jurisdiction.

We took some ideas that were raised by the minority, amended them to reflect things like the longer life of cars. We asked manufacturers to hold onto safety information for a longer period of time. We extend the time for free recall fix requirements.

Lastly, we have added the bipartisan Low Volume Motor Vehicle Manufacturers Act of 2015 and provided adjusted funding levels to the National Highway Traffic Safety Administration to advance their important safety work.

This is an important amendment, and I urge my colleagues to accept it.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chairman, by reducing appropriations for vehicle safety programs, Mr. BURGESS' amendment is making it impossible for NHTSA, the National Highway Traffic Safety Administration, to actually carry out its critical vehicle safety functions.

At the same time that this amendment drastically cuts funding for critical safety functions, the amendment also requires more reporting that diverts necessary resources, both people and dollars, from NHTSA's mission to save lives, prevent injuries, and reduce economic costs from traffic crashes.

The average age of cars on the road in the United States has hit a record high at 11½ years. That is just the average. Many cars are even older.

Instead of fully acknowledging this reality, this amendment only requires manufacturers to keep limited safety records for 15 years and only requires recall repairs to be free of charge for 10 years. The recent GM ignition switch recall covered vehicles that were more than 10 years old. That means that, under this amendment, some owners of defective GM cars could have to pay to have the defect repaired.

The amendment also exempts from motor vehicle safety standards replica cars. Brand-new cars would not have to meet any safety standards as long as they look like a car that was made 25 years ago. These cars could be exempt from seatbelt and airbag requirements, basic but crucial safety equipment. We have no idea how many replica cars will end up on the roads. Although each low-volume manufacturer is limited to 500 vehicles, there are no limits on the number of manufacturers.

The low-volume provision would also exempt manufacturers of replicas, unlike all others who manufacture cars in small batches, from the EPA's emission standards concerning greenhouse gasses. Replica cars also would be exempt from State inspections and emissions testing and evaporative emission standards. In the wake of the recent VW scandal, it is unthinkable that we would make it easier for any manufacturers to bypass emission standards and to continue to put public health at risk.

The amendment also allows automakers and others to use compliance with guidelines as evidence of compliance with motor vehicle safety standards. By prohibiting NHTSA from using guidelines for enforcement purposes, the majority obviously recognizes that nonbinding guidelines are not the same as actual safety requirements. But at the same time, this amendment allows automakers to evade liability by showing that they complied with nonbinding guidelines instead of having to prove that they complied with safety mandates. This double standard makes no sense.

Instead of ensuring that automakers are held responsible for safety violations they commit, this amendment gives them yet another out. This amendment will adversely affect the public health and safety.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. BURGESS. Madam Chairwoman, as I advised earlier in speaking to another amendment, some significant flaws in the basic operations of the National Highway Traffic Safety Administration were revealed earlier this year and reported in an inspector general's report.

Again, in an unprecedented move, after the IG report was released, the National Highway Traffic Safety Administration publicly committed to a timeline to implement all of the inspector general's recommendations because of their serious and direct impact on NHTSA's ability to fulfill its core mission. I am grateful to NHTSA that they had this commitment to these reforms.

Just like the Senate language, our amendment does provide for additional funding to the National Highway Traffic Safety Administration. This amendment would increase NHTSA's funding by 23½ percent for fiscal year 2016 and over 27 percent for fiscal year 2017 from the authorized levels in the underlying bill. Maybe we don't go as far as the Senate, but these are significant and generous increases.

Again, I will urge my colleagues to support the amendment.

I reserve the balance of my time.

□ 0015

Ms. SCHAKOWSKY. Madam Chair, actually there is an increase in my chairman's amendment. It is also a significant decrease from what the Senate has added to the National Highway Traffic Safety Administration. Because we have so many deaths on the road, and NHTSA has been significantly underfunded, it definitely makes sense to as fully fund them as they can to provide their mission of auto safety.

So, for that reason and all the others I listed, I certainly urge my colleagues to vote ''no'' on this legislation.

Madam Chair, I yield back the balance of my time.

Mr. BURGESS. Madam Chair, I yield myself the balance of my time.

This amendment also requires the National Highway Traffic Safety Administration to issue an agenda on December 1 of every year detailing the agency's policy priorities, their planned rulemakings, and any projected alterations to the agency structure. Actually, that is a good idea. Regulated entities, especially, should have an idea of what the focus of the agency is going to be in the upcoming months and years.

The last time the National Highway Traffic Safety Administration published a planning report was 2011. They are asking us for more money. We are providing them with more money. All we ask is they provide us a glimpse into what their strategy is as to how that money will be effectively spent.

This is a good amendment. I urge my colleagues to support it.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

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

Ms. SCHAKOWSKY. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 18 OFFERED BY MR. NEUGEBAUER

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part B of House Report 114–326.

Mr. NEUGEBAUER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 52203 and 52205.

Insert after section 52202 the following:

SEC. 52203. ELIMINATION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.

(a) ELIMINATION OF SURPLUS FUNDS.—Section 7 of the Federal Reserve Act (12 U.S.C. 289 et seq.) is amended—

(1) in subsection (a)—

(A) in the heading of such subsection, by striking ''AND SURPLUS FUNDS''; and

(B) in paragraph (2), by striking ''deposited in the surplus fund of the bank'' and inserting ''transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury''; and

(2) by striking the first subsection (b) (relating to a transfer for fiscal year 2000).

(b) TRANSFER TO THE TREASURY.—The Federal reserve banks shall transfer all of the funds of the surplus funds of such banks to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. NEUGEBAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. NEUGEBAUER. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise today to offer amendment No. 18 with the gentleman from Michigan (Mr. HUIZENGA), my good friend.

First, let me say I don't think it is good policy that we are trying to fund transportation from other sectors of the economy. This amendment does seek to address two major issues in the budget offset sent over from the Senate—the Federal Reserve dividend increase and the g-fee increase.

Moving forward with the Federal Reserve dividend reduction without studying it could have a devastating consequence for the supervision of the financial sector and the stability of the Federal Reserve System. The cost that banks, especially community banks, could face as a result of the dividend reduction would be passed on to hard-working consumers. At a time when many Americans continue to struggle from the unintended consequences of Dodd-Frank, it would be dangerous and irresponsible to move ahead with the Senate version.

Second, this amendment addresses what I see as a further entrenchment of Fannie Mae and Freddie Mac. This is particularly timely because just this week we learned that Fannie and Freddie may need to tap the Treasury once again and saddle the taxpayers with the bill. This amendment further protects the taxpayers. Allowing Congress to continue to raise g-fees will make comprehensive housing finance reform impossible.

Our amendment addresses both problems by liquidating and dissolving the Federal Reserve capital surplus account. The Federal Reserve currently has about $29 billion in capital surplus account. This account is made up of the earnings that the Federal Reserve has retained from investing member banks' money. Let me say that again. The surplus account is made up of earnings that the Federal Reserve has made from investing member banks' money. The Federal Reserve continues to hold this account in surplus at a time when our Nation is over $18.5 trillion in debt. This is not a perfect policy, but it is better than the alternative.

This preserves the budget neutrality of the transportation bill and counters irresponsible proposals sent over to us by the Senate. Further, it protects consumers from potential for cost increases while reforming the surplus account to meet the needs of the current fiscal crisis.

When the surplus account was created, no one could have imagined the debt and deficits that we are facing. It is appropriate to liquidate this account to meet today's realities.

Moving forward, I hope that this body will ensure that transportation funding comes from transportation users and not completely unrelated sectors of the economy.

Madam Chair, in closing, I include for the RECORD a joint trade letter of support from 27 banking and housing groups in support of amendment No. 18.

Madam Chair, I reserve the balance of my time.

NOVEMBER 4, 2015.

Hon. PAUL RYAN,
Speaker, House of Representatives.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives.

DEAR SPEAKER RYAN AND LEADER PELOSI: The undersigned organizations urge the House to adopt the Neugebauer-Huizenga amendment to H.R. 22, the DRIVE Act, which would remove two harmful provisions from the Senate version of the bill.

The Neugebauer-Huizenga amendment would remove from H.R. 22 a harmful proposal to reduce the dividend paid on Federal Reserve stock that would have significant negative consequences on banks of all sizes across the country. Member banks of the Federal Reserve are required by law to purchase stock in regional Federal Reserve Banks. This stock may not be sold, transferred or even used as collateral, unlike virtually every other asset a bank holds. These funds represent ''dead capital'' for the financial institution. The dividend that the Senate is considering reducing reflects the unique structure and constraints of this arrangement that is required by law, as this is money that otherwise would be used by banks for lending and to provide other services to customers.

The Neugebauer-Huizenga amendment would also remove from H.R. 22 an extension of higher Fannie Mae and Freddie Mac guarantee fees. The purpose of these fees is to prospectively guard against credit losses at Fannie Mae and Freddie Mac. G-fees should only be used to protect taxpayers from mortgage losses, not to fund unrelated spending. Each time g-fees are extended, increased and diverted for unrelated spending, homeowners are charged more for their mortgages and taxpayers are exposed to additional risk for the long-term. The g-fee increase was originally included in the Senate highway bill as a funding offset, but the Congressional Budget Office has scored the House bill as being budget neutral without this provision. It should be removed to ensure that potential homebuyers are not kept on the sidelines by raising the cost to purchase or refinance a home.

To ensure it is fully offset, the Neugebauer-Huizenga amendment would use the Federal Reserve's ''surplus'' account of earnings retained after paying operating expenses and dividends. As a result of recent changes in the way the Federal Reserve operates, these retained earnings are no longer necessary. This amendment would use funds from this account to pay for the extension of the Highway Trust Fund.

We urge the House to pass the Neugebauer-Huizenga amendment to H.R. 22.

America's Homeowner Alliance, American Escrow Association, American Bankers Association, American Land Title Association, Center for Responsible Lending, The Clearing House, Community Home Lenders Association, Consumer Bankers Association, Consumer Mortgage Coalition, Credit Union National Association.

The Financial Services Forum, Financial Services Roundtable, Habitat for Humanity International, Homeownership Preservation Foundation, Independent Community Bankers of America, Leading Builders of America, Mid-size Bank Coalition of America, Mortgage Bankers Association, National Association of Hispanic Real Estate Professionals.

National Association of Home Builders, National Association of Real Estate Brokers, National Association of REALTORS®, Real Estate Services Providers Council, Inc., The Realty Alliance, Securities Industry and Financial Markets Association, U.S. Chamber of Commerce Center for Capital Markets Competitiveness, U.S. Mortgage Insurers.

Ms. MAXINE WATERS of California. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. I yield myself such time as I may consume.

Madam Chairwoman, I rise in opposition to this amendment. The Neugebauer amendment represents a poorly designed attempt to cover the cost of the highway bill. My colleague from Texas is concerned that the Senate's underlying provisions would cut the largest banks' guaranteed 6 percent dividend payments from the Federal Reserve as well as extend a 10 basis point fee on new mortgages, although not until 2021.

In place of those provisions, my colleague would eliminate the Federal Reserve surplus account without even considering whether it could harm monetary policy or our economic security in the decades ahead.

I previously expressed concern about using Fannie Mae and Freddie Mac as a piggy bank to pay for unrelated government spending. Instead, Republicans should finally take up housing finance reform. Despite controlling this House for almost 5 years and the Senate for nearly 2, Republicans have entirely failed to reform the housing markets, despite claiming that the mortgage giants caused the crisis.

Regarding the other Senate provision, I am not sure why the largest banks should be entitled to a permanent dividend payment of 6 percent a year. How many of my colleagues or their constituents have a safe investment that pays this well? In fact, most of my constituents are lucky to earn a penny a month on their bank account. Yet, when the Senate first proposed to cut these bank dividends, House Republicans urged that Congress first study what would be the effect before changing the law.

The Federal Reserve surplus account, which Mr. NEUGEBAUER proposes to eliminate permanently to protect the bank dividends, has promoted global confidence in U.S. monetary policy for more than 100 years. Federal Reserve officials explained to the GAO that maintaining capital, including the surplus account, provides an assurance of a central bank's strength and stability to investors and foreign holders of U.S. currency. That is why central banks around the world—including the Bank of England, the European Central Bank, and the German Central Bank—all make use of surplus accounts. Nevertheless, my Republican colleagues are willing to cut this monetary policy tool without knowing what the long-term effect would be.

During the 2008 financial crisis, the Federal Reserve took unprecedented action to prevent economic collapse by purchasing trillions of dollars of assets. During the countless hearings with Federal Reserve chairs Bernanke and Yellen, my colleagues suggested that the Federal Reserve is leveraged more than Lehman Brothers, pointing out that the Fed surplus is inadequate to protect losses to the taxpayer. But with this amendment, they would eliminate for all time all Fed surplus which, based on Republican logic, would be infinite leverage.

Madam Chair, I reserve the balance of my time.

Mr. NEUGEBAUER. Madam Chair, I yield 1½ minutes to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Madam Chair, folks that are watching this at this late hour are unfortunately seeing politics over policy. The ranking member wants to agree but just can't let herself.

This policy that we have seen, 73 percent of the Democrats on her committee signed a letter saying we need to hit the pause button; we need to make sure that we understand what this policy that got shipped over to us from the Senate is going to mean. Unfortunately, it has been plunged ahead, and we are moving ahead with this.

This is less than ideal policy that we are looking at, but our choice isn't good choice versus bad choice. Our choice is less than ideal versus very bad choice. What we are seeing here is that we need to examine this further. It hasn't been looked at in over 50 years from the Committee on Financial Services.

So I hope two things: one, that we are going to have a change in the way the House operates. I believe that that new day has arrived and that we will be doing that, but we are not sure exactly what this fixed rate is going to be. I will point out, though, that with that 6 percent return, the Fed has been able to build up a $29 billion, with a B, surplus account, which is where we are today.

Chairman HENSARLING of the Committee on Financial Services had written the GAO requesting a study of that. I put out this letter, a bipartisan letter where we had 150 colleagues, that was forwarded. What we are doing is a better offset. We are believing that this is a better way to go rather than raiding Fannie and Freddie and the g-fees and the budget.

Ms. MAXINE WATERS of California. Madam Chair, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Madam Chair, I thank the gentlewoman for yielding, especially because I rise in favor of this amendment; not because it is perfect, but because it deals with a fundamental problem in the underlying legislation.

How are we going to fund our highway system? Some would argue a tax on motorists; some would argue the general revenue of the United States. I

don't know anyone who can really make the argument that we ought to have a tax on home buyers to fund highways; yet that is what the underlying bill does. It imposes a tax on everyone who gets a mortgage or refinances a mortgage and uses that for highways.

I am confident that if we pass this amendment, the conference committee will take a look at how to finance this bill and will come up with a better way than the idea of imposing a tax on everyone. That basically means middle class homeowners who use Fannie Mae or Freddie Mac in order to buy a home or refinance a home.

Mr. NEUGEBAUER. Madam Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chair, I would like to draw to your attention that Mr. NEUGEBAUER's original amendment would have paused for 1 year and studied it. He changed it to strip the surplus forever and keep the dividend.

My Republican colleagues had every opportunity to ask Federal Reserve Chair Janet Yellen about this amendment or, for that matter, her thoughts on what cutting the big bank dividend payments would be but did not. Instead, they peppered her for 3 hours with sundry other questions, failing to ask about one proposal, then considered late in the day to eliminate a 100-year-old monetary policy tool.

Madam Chair, yesterday my Republican colleagues sought to hamstring the Federal Reserve. I ask for a ''no'' vote on this amendment.

I yield back the balance of my time.

Mr. NEUGEBAUER. Madam Chair, I yield the balance of my time to close to the gentleman from Texas (Mr. HENSARLING), the distinguished chairman of the House Committee on Financial Services.

□ 0030

Mr. HENSARLING. I thank the gentleman for yielding.

Transportation ought to be funded out of transportation fees. It shouldn't be funded out of the functional equivalent of a bank account tax. It should not be funded on the backs of home buyers, or particularly those taxpayers who are forced to backstop Fannie and Freddie.

If we are ever going to have a sustainable housing finance system in America, these guarantee fees cannot be diverted.

I want to thank the gentleman from Texas and the gentleman from Michigan. No, they didn't come up with the perfect solution, but it is far superior than this bank account tax and this home-buyer tax. It makes no sense whatsoever.

So I urge the entire House to adopt the Neugebauer amendment and get rid of this terrible idea from the Senate.

Mr. NEUGEBAUER. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. NEUGEBAUER).

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

Mr. NEUGEBAUER. Madam Chairman, I demand a recorded vote.

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

AMENDMENT NO. 19 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part B of House Report 114–326.

Mr. GOSAR. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 942, strike lines 7 and 8 (and redesignate subsequent clauses accordingly).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Madam Chair, I rise today to offer a commonsense amendment to this transportation bill.

My amendment is simple. If the intent of the Federal Permitting Improvement Council section of this bill is to actually improve the Federal permitting process, then the EPA, which is not a principal permitting or reviewing agency, should not be allowed an outsized vote to obstruct the expedited process for covered projects created by this legislation.

The bill establishes a new council for the purpose of streamlining the Federal permitting process for projects of national importance. As currently constructed, the Environmental Protection Agency, or EPA, is given far too big a voice in this process—an EPA that is known for being the primary obstructionist for every significant infrastructure and economic development project in the United States.

It is important to note that nothing in my amendment prevents the EPA from being invited to be a participating or cooperating agent and providing information throughout this process to the council.

The council established by this bill will be composed of a minimum of 16 members, and it takes a vote by the majority of the members of the council in order for a covered project to be entitled to an expedited review.

Currently, the bill allows the EPA too much influence in this process. This is wrong and will under mine goals of the rest of the council.

In a memo regarding the Federal permitting process, the EPA itself stated: ''It is important to recognize the EPA is rarely, if ever, the principal permit or reviewing agency.''

It goes on further: ''EPA's role is most often one of providing input to processes managed by others. . . . In addition, where projects do require permits issued under Federal environmental laws, permitting decisions are typically made by States under delegated or authorized programs. EPA is not responsible for the day-to-day administration of delegated or authorized permitting programs.''

By the EPA's own admission, the agency is never the primary reviewing entity. It defies common sense that EPA would have a vote when other agencies and States that actually manage the permitting process don't.

Intentional actions and shear incompetence from the EPA continue to impose Federal permitting delays and kill jobs throughout the country. The Wall Street Journal recently reported that the EPA coordinated with special interest groups to veto a mine project in Alaska.

Media reports have also documented ''close coordination between the EPA and environmental groups in drafting the controversial Clean Power Plan, which would mark the demise of coal-fired plants in the United States.''

My amendment is endorsed by Eagle Forum, Americans for Limited Government, Concerned Citizens for America, the Arizona Department of Transportation, the Arizona Small Business Association, the Bullhead Chamber of Commerce, the Lake Havasu Area Chamber of Commerce, the New Mexico Cattle Growers' Association, the New Mexico Federal Lands Council, and the Town of Fredonia.

If the intent of this bill is to improve the Federal permitting process, then the EPA, which is not a principal permitting or reviewing agency, should not be allowed an outsized vote for critical projects that already have investments of $200 million or more.

I fully support the intent of the council created by the bill and the committee's work in that regard. I believe the process utilized could create tens of thousands of jobs and significantly benefit our economy. Let's not let the EPA screw it up.

I urge my colleagues to stand with job creators, ranchers, local chambers of commerce, small businesses, transportation officials, and countless other organizations and individuals throughout this country that are tired of the EPA's obstructionism, and support my amendment. You are either with them or you are with the EPA.

Vote ''yes'' on my amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 20 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in part B of House Report 114–326.

Mr. GOODLATTE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 964, line 6, insert after ''the participating agencies'' the following: ''and the project sponsor''.

Page 964, line 7, strike ''and''.

Page 964, line 11, strike the period and insert the following: ''; and''

Page 964, after line 11, insert the following:

(III) in the case of a modification that would necessitate an extension of a final completion date under a permitting timetable established under subparagraph (A) to a date more than 30 days after the final completion date originally established under subparagraph (A), the facilitating or lead agency submits a request to modify the permitting timetable to the Executive Director, who shall consult with the project sponsor and make a determination on the record, based on consideration of the relevant factors described under subparagraph (B), whether to grant the facilitating or lead agency, as applicable, authority to make such modification.

Page 964, after line 15, insert the following:

(iii) LIMITATION ON LENGTH OF MODIFICATIONS.—

(I) IN GENERAL.—Except as provided in subclause (II), the total length of all modifications to a permitting timetable authorized or made under this subparagraph, other than for reasons outside the control of Federal, State, local, or tribal governments, may not extend the permitting timetable for a period of time greater than half of the amount of time from the establishment of the permitting timetable under subparagraph (A) to the last final completion date originally established under subparagraph (A).

(II) ADDITIONAL EXTENSIONS.—The Director of the Office of Management and Budget, after consultation with the project sponsor, may permit the Executive Director to authorize additional extensions of a permitting timetable beyond the limit prescribed by subclause (I). In such a case, the Director of the Office of Management and Budget shall transmit, not later than 5 days after making a determination to permit an authorization of extension under this subclause, a report to Congress explaining why such modification is required. Such report shall explain to Congress with specificity why the original permitting timetable and the modifications authorized by the Executive Director failed to be adequate. The lead or facilitating agency, as applicable, shall transmit to Congress, the Director of the Office of Management and Budget, and the Executive Director a supplemental report on progress toward the final completion date each year thereafter, until the permit review is completed or the project sponsor withdraws its notice or application or other request to which this title applies under section 61010.

(iv) LIMITATION ON JUDICIAL REVIEW.—The following shall not be subject to judicial review:

(I) A determination by the Executive Director under clause (i)(III).

(II) A determination under clause (iii)(II) by the Director of the Office of Management and Budget to permit the Executive Director to authorize extensions of a permitting timetable.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

I and Regulatory Reform Subcommittee Chairman MARINO offer this amendment to bridge the gap between two vital pieces of legislation: Chairman MARINO's RAPID Act, H.R. 348, which the House passed on September 24, 2015, and Senators Portman and McCaskill's Federal Permitting Improvement Act, S. 280.

These bills have been companions for multiple terms in our effort to streamline the process by which Federal agencies review and decide upon applications for federally funded and federally permitted construction projects. Permit streamlining reform is essential to create new, high-paying jobs and strengthen our economy. It is a priority of the House, the Senate, and the President.

S. 280 was incorporated by a floor amendment into the Senate amendments to H.R. 22 and, so, is included in the base bill before us. In two of the three key respects, it substantially achieves the House goals embodied by the RAPID Act: to shorten the time it takes to conclude litigation over Federal permitting decisions, and require litigants first to present the substance of any claims before permitting agencies during their administrative reviews.

The Senate text, however, falls short in the third key respect: reliably expediting the time agencies have to conclude their reviews before acting to approve or disapprove permits. The Senate language includes many important steps toward this goal, but multiple loopholes in the language open the door for deadlines without end and without standards.

The amendment Subcommittee Chairman MARINO and I offer fixes this problem by establishing firm checks and balances through which the Director of OMB and the Executive Director of the Federal Permitting Improvement Steering Council can prevent abusive extensions and assure that permit applications are reviewed within reasonable deadlines.

The amendment embodies a preconferenced resolution of the differences between the RAPID Act and S. 280 as incorporated into H.R. 22 that Subcommittee Chairman MARINO, I, Senator PORTMAN, and Senator MCCASKILL all support.

If the House adopts this amendment, it will perfect the bill to assure powerful permit streamlining reform, paving the way for good projects to move forward more quickly, delivering high-quality jobs and improvements to Americans' daily lives. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. I yield myself such time as I may consume.

Madam Chairman, I rise in opposition to the gentleman's amendment and title 61 of the underlying bill, which adopts the text of S. 280, the Federal Permitting Improvement Act.

Before addressing my substantive concerns, I have serious procedural objections to the inclusion of title 61 in a transportation funding bill.

S. 280, the Federal Permitting Improvement Act, was attached to the transportation bill on the Senate floor through a manager's amendment offered by Senate Majority Leader MCCONNELL. It was adopted without adequate debate in an expedited process just days before the August recess. The bill has not been introduced in the House. Neither the House nor the Senate has had a hearing on the text of this bill, which involves a nuanced area of the law with broad implications for public health and safety.

Moving to the substance of title 61, this bill is a misguided attempt to restrict public input and challenges in the permitting process under the National Environmental Policy Act, or NEPA.

Over 40 years, NEPA has saved time, money, and protected the environment, all while providing a framework for wide-ranging input from all affected interests when a Federal agency conducts an environmental review of a proposed project.

Title 61 of H.R. 22 discards this commonsense approach by severely curtailing the public's right to challenge permitting decisions in several ways.

First, title 61 restricts challenges of major Federal projects to only parties who file comments within the bill's 45- to 60-day window. The bill requires that these comments must be sufficiently detailed to put the lead agency on notice of the issue on which the party seeks judicial review. In other words, a party would have to litigate the issue in the 45- to 60-day comment period—an extremely tall order for the public.

Second, title 61 requires that courts consider the potential for significant job losses and other economic harms in considering whether to enjoin a project that has been challenged.

The bill further requires that courts presume that these harms are irreparable, even if they aren't, tilting the outcome in favor of private interests and away from the public's interest in health, safety, and the environment.

This is a radical departure from our laws and would have the practical effect of allowing a project to proceed even where there is ongoing litigation. Indeed, by the time a court determines that a project violates the law, a project could already be completed.

Third, under current law, the public has 6 years to bring claims arising under most Federal laws, which provides for citizens to discover latent harms of projects. Title 61 only provides for 2 years for challenges to the Nation's most complex projects requiring a Federal permit.

Madam Chairman, title 61 presents a false choice between funding transportation projects and accepting bad legislation without debate or proper consideration that would potentially have disastrous effects on the public's right to challenge Federal permitting decisions in court. This is yet another pro-

corporate, anti-safety provision designed by the donor class to restrict access to the courts by the common people.

I reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, it is my pleasure to yield such time as he may consume to the gentleman from Pennsylvania (Mr. MARINO), who joins me in offering this amendment.

Mr. MARINO. I thank Chairman GOODLATTE for yielding.

For two terms now, enacting legislation to streamline the Federal permitting process has been among my primary goals. Three times now, this House has passed the RAPID Act, a bill that I sponsored in both the 113th and 114th Congresses.

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Our goal has been to fix the flaws in our Federal permitting process that often doom worthy projects that could collectively create millions of jobs and hundreds of millions of dollars in economic activity.

In just my home State of Pennsylvania, one 2011 study found that the stalled energy projects alone would produce an average of over 56,000 jobs a year and over $44 billion in economic output.

The potential growth in the American economy is staggering. Worthy projects across the country should not die on the vine while awaiting Federal bureaucratic approval.

This amendment achieves these goals, and I am pleased to offer it with the chairman. It builds upon the reforms already encompassed in several bills passed by the House Transportation and Infrastructure Committee and signed into law. Perhaps most importantly we have reached agreement on this amendment in a bipartisan fashion.

It has been one of the honors of my time in Congress to reach not only across the aisle, but across Chambers, to work with Senator PORTMAN and Senator MCCASKILL on these reforms and this amendment.

I urge all my colleagues and Members to join us in supporting this important amendment that will put Americans to work and help stimulate economic growth.

Mr. JOHNSON of Georgia. Madam Chair, this is a bad amendment that hurts the public interest, and for that reason I would ask that my colleagues vote along with me to disapprove of this amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Madam Chair, I yield myself the balance of my time.

Madam Chair, this is a very good amendment that will help create hundreds of thousands of jobs by getting projects that have been delayed all across this country moving. It is supported by many on both sides of the aisle in both Chambers of this institution.

We have worked closely with Democrats and Republicans, and we have worked closely with the White House on this language. This is ready for prime time. This is ready to go.

It is very appropriate to include it in this legislation because transportation projects will be the biggest beneficiary of this streamlining of permitting that will take place as a result of adoption of this legislation.

I urge my colleagues to support this amendment and the underlying bill.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MR. HENSARLING

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part B of House Report 114–326.

Mr. HENSARLING. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

DIVISION J—FINANCIAL SERVICES

SEC. 1. TABLE OF CONTENTS.

The table of contents for this division is as follows:

Sec. 1. Table of contents.

TITLE I—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES

Sec. 101. Filing requirement for public filing prior to public offering.
Sec. 102. Grace period for change of status of emerging growth companies.
Sec. 103. Simplified disclosure requirements for emerging growth companies.

TITLE II—DISCLOSURE MODERNIZATION AND SIMPLIFICATION

Sec. 201. Summary page for form 10–K.
Sec. 202. Improvement of regulation S–K.
Sec. 203. Study on modernization and simplification of regulation S–K.

TITLE III—BULLION AND COLLECTIBLE COIN PRODUCTION EFFICIENCY AND COST SAVINGS

Sec. 301. Technical corrections.
Sec. 302. American Eagle Silver Bullion 30th Anniversary.

TITLE IV—SBIC ADVISERS RELIEF

Sec. 401. Advisers of SBICs and venture capital funds.
Sec. 402. Advisers of SBICs and private funds.
Sec. 403. Relationship to State law.

TITLE V—ELIMINATE PRIVACY NOTICE CONFUSION

Sec. 501. Exception to annual privacy notice requirement under the Gramm-Leach-Bliley Act.

TITLE VI—REFORMING ACCESS FOR INVESTMENTS IN STARTUP ENTERPRISES

Sec. 601. Exempted transactions.

TITLE VII—PRESERVATION ENHANCEMENT AND SAVINGS OPPORTUNITY

Sec. 701. Distributions and residual receipts.
Sec. 702. Future refinancings.
Sec. 703. Implementation.

TITLE VIII—TENANT INCOME VERIFICATION RELIEF

Sec. 801. Reviews of family incomes.

TITLE IX—HOUSING ASSISTANCE EFFICIENCY

Sec. 901. Authority to administer rental assistance.
Sec. 902. Reallocation of funds.

TITLE X—CHILD SUPPORT ASSISTANCE

Sec. 1001. Requests for consumer reports by State or local child support enforcement agencies.

TITLE XI—PRIVATE INVESTMENT IN HOUSING

Sec. 1101. Budget-neutral demonstration program for energy and water conservation improvements at multifamily residential units.

TITLE XII—CAPITAL ACCESS FOR SMALL COMMUNITY FINANCIAL INSTITUTIONS

Sec. 1201. Privately insured credit unions authorized to become members of a Federal home loan bank.
Sec. 1202. GAO Report.

TITLE XIII—SMALL BANK EXAM CYCLE REFORM

Sec. 1301. Smaller institutions qualifying for 18-month examination cycle.

TITLE XIV—SMALL COMPANY SIMPLE REGISTRATION

Sec. 1401. Forward incorporation by reference for Form S–1.

TITLE XV—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION

Sec. 1501. Registration threshold for savings and loan holding companies.

TITLE I—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES

SEC. 101. FILING REQUIREMENT FOR PUBLIC FILING PRIOR TO PUBLIC OFFERING.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is amended by striking ''21 days'' and inserting ''15 days''.

SEC. 102. GRACE PERIOD FOR CHANGE OF STATUS OF EMERGING GROWTH COMPANIES.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is further amended by adding at the end the following: ''An issuer that was an emerging growth company at the time it submitted a confidential registration statement or, in lieu thereof, a publicly filed registration statement for review under this subsection but ceases to be an emerging growth company thereafter shall continue to be treated as an emerging market growth company for the purposes of this subsection through the earlier of the date on which the issuer consummates its initial public offering pursuant to such registrations statement or the end of the 1-year period beginning on the date the company ceases to be an emerging growth company.''.

SEC. 103. SIMPLIFIED DISCLOSURE REQUIREMENTS FOR EMERGING GROWTH COMPANIES.

Section 102 of the Jumpstart Our Business Startups Act (Public Law 112–106) is amended by adding at the end the following:

''(d) SIMPLIFIED DISCLOSURE REQUIREMENTS.—With respect to an emerging growth company (as such term is defined under section 2 of the Securities Act of 1933):

''(1) REQUIREMENT TO INCLUDE NOTICE ON FORMS S–1 AND F–1.—Not later than 30 days after the date of enactment of this subsection, the Securities and Exchange Commission shall revise its general instructions on Forms S–1 and F–1 to indicate that a registration statement filed (or submitted for confidential review) by an issuer prior to an initial public offering may omit financial information for historical periods otherwise required by regulation S–X (17 C.F.R. 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 or F–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.

''(2) RELIANCE BY ISSUERS.—Effective 30 days after the date of enactment of this subsection, an issuer filing a registration statement (or submitting the statement for confidential review) on Form S–1 or Form F–1 may omit financial information for historical periods otherwise required by regulation S–X (17 C.F.R. 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 or Form F–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.''.

TITLE II—DISCLOSURE MODERNIZATION AND SIMPLIFICATION

SEC. 201. SUMMARY PAGE FOR FORM 10–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue regulations to permit issuers to submit a summary page on form 10–K (17 C.F.R. 249.310), but only if each item on such summary page includes a cross-reference (by electronic link or otherwise) to the material contained in form 10–K to which such item relates.

SEC. 202. IMPROVEMENT OF REGULATION S–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall take all such actions to revise regulation S–K (17 C.F.R. 229.10 et seq.)—

(1) to further scale or eliminate requirements of regulation S–K, in order to reduce the burden on emerging growth companies, accelerated filers, smaller reporting companies, and other smaller issuers, while still providing all material information to investors;

(2) to eliminate provisions of regulation S–K, required for all issuers, that are duplicative, overlapping, outdated, or unnecessary; and

(3) for which the Commission determines that no further study under section 203 is necessary to determine the efficacy of such revisions to regulation S–K.

SEC. 203. STUDY ON MODERNIZATION AND SIMPLIFICATION OF REGULATION S–K.

(a) STUDY.—The Securities and Exchange Commission shall carry out a study of the requirements contained in regulation S–K (17 C.F.R. 229.10 et seq.). Such study shall—

(1) determine how best to modernize and simplify such requirements in a manner that reduces the costs and burdens on issuers while still providing all material information;

(2) emphasize a company by company approach that allows relevant and material information to be disseminated to investors without boilerplate language or static requirements while preserving completeness and comparability of information across registrants; and

(3) evaluate methods of information delivery and presentation and explore methods for discouraging repetition and the disclosure of immaterial information.

(b) CONSULTATION.—In conducting the study required under subsection (a), the Commission shall consult with the Investor Advisory Committee and the Advisory Committee on Small and Emerging Companies.

(c) REPORT.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Commission shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) specific and detailed recommendations on modernizing and simplifying the requirements in regulation S–K in a manner that reduces the costs and burdens on companies while still providing all material information; and

(3) specific and detailed recommendations on ways to improve the readability and navigability of disclosure documents and to discourage repetition and the disclosure of immaterial information.

(d) RULEMAKING.—Not later than the end of the 360-day period beginning on the date that the report is issued to the Congress under subsection (c), the Commission shall issue a proposed rule to implement the recommendations of the report issued under subsection (c).

(e) RULE OF CONSTRUCTION.—Revisions made to regulation S–K by the Commission under section 202 shall not be construed as satisfying the rulemaking requirements under this section.

TITLE III—BULLION AND COLLECTIBLE COIN PRODUCTION EFFICIENCY AND COST SAVINGS

SEC. 301. TECHNICAL CORRECTIONS.

Title 31, United States Code, is amended—

(1) in section 5112—

(A) in subsection (q)—

(i) by striking paragraphs (3) and (8); and

(ii) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (3), (4), (5), and (6), respectively;

(B) in subsection (t)(6)(B), by striking ''90 percent silver and 10 percent copper'' and inserting ''not less than 90 percent silver''; and

(C) in subsection (v)—

(i) in paragraph (1), by striking ''Subject to'' and all that follows through ''the Secretary shall'' and inserting ''The Secretary shall'';

(ii) in paragraph (2)(A), by striking ''The Secretary'' and inserting ''To the greatest extent possible, the Secretary'';

(iii) in paragraph (5), by inserting after ''may issue'' the following: ''collectible versions of''; and

(iv) by striking paragraph (8); and

(2) in section 5132(a)(2)(B)(i), by striking ''90 percent silver and 10 percent copper'' and inserting ''not less than 90 percent silver''.

SEC. 302. AMERICAN EAGLE SILVER BULLION 30TH ANNIVERSARY.

Proof and uncirculated versions of coins issued by the Secretary of the Treasury pursuant to subsection (e) of section 5112 of title 31, United States Code, during calendar year 2016 shall have a smooth edge incused with a designation that notes the 30th anniversary of the first issue of coins under such subsection.

TITLE IV—SBIC ADVISERS RELIEF

SEC. 401. ADVISERS OF SBICS AND VENTURE CAPITAL FUNDS.

Section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l)) is amended—

(1) by striking ''No investment adviser'' and inserting the following:

''(1) IN GENERAL.—No investment adviser''; and

(2) by adding at the end the following:

''(2) ADVISERS OF SBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940).''.

SEC. 402. ADVISERS OF SBICS AND PRIVATE FUNDS.

Section 203(m) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(m)) is amended by adding at the end the following:

''(3) ADVISERS OF SBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940) shall be excluded from the limit set forth in paragraph (1).''.

SEC. 403. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a(b)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(7) of such section, or is a supervised person of such person.''.

TITLE V—ELIMINATE PRIVACY NOTICE CONFUSION

SEC. 501. EXCEPTION TO ANNUAL PRIVACY NOTICE REQUIREMENT UNDER THE GRAMM-LEACH-BLILEY ACT.

Section 503 of the Gramm-Leach-Bliley Act (15 U.S.C. 6803) is amended by adding at the end the following:

''(f) EXCEPTION TO ANNUAL NOTICE REQUIREMENT.—A financial institution that—

''(1) provides nonpublic personal information only in accordance with the provisions of subsection (b)(2) or (e) of section 502 or regulations prescribed under section 504(b), and

''(2) has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this section,

shall not be required to provide an annual disclosure under this section until such time as the financial institution fails to comply with any criteria described in paragraph (1) or (2).''.

TITLE VI—REFORMING ACCESS FOR INVESTMENTS IN STARTUP ENTERPRISES

SEC. 601. EXEMPTED TRANSACTIONS.

(a) EXEMPTED TRANSACTIONS.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(7) transactions meeting the requirements of subsection (d).'';

(2) by redesignating the second subsection (b) (relating to securities offered and sold in compliance with Rule 506 of Regulation D) as subsection (c); and

(3) by adding at the end the following:

''(d) CERTAIN ACCREDITED INVESTOR TRANSACTIONS.—The transactions referred to in subsection (a)(7) are transactions meeting the following requirements:

''(1) ACCREDITED INVESTOR REQUIREMENT.—Each purchaser is an accredited investor, as that term is defined in section 230.501(a) of title 17, Code of Federal Regulations (or any successor regulation).

''(2) PROHIBITION ON GENERAL SOLICITATION OR ADVERTISING.—Neither the seller, nor any

person acting on the seller's behalf, offers or sells securities by any form of general solicitation or general advertising.

''(3) INFORMATION REQUIREMENT.—In the case of a transaction involving the securities of an issuer that is neither subject to section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m; 78o(d)), nor exempt from reporting pursuant to section 240.12g3–2(b) of title 17, Code of Federal Regulations, nor a foreign government (as defined in section 230.405 of title 17, Code of Federal Regulations) eligible to register securities under Schedule B, the seller and a prospective purchaser designated by the seller obtain from the issuer, upon request of the seller, and the seller in all cases makes available to a prospective purchaser, the following information (which shall be reasonably current in relation to the date of resale under this section):

''(A) The exact name of the issuer and the issuer's predecessor (if any).

''(B) The address of the issuer's principal executive offices.

''(C) The exact title and class of the security.

''(D) The par or stated value of the security.

''(E) The number of shares or total amount of the securities outstanding as of the end of the issuer's most recent fiscal year.

''(F) The name and address of the transfer agent, corporate secretary, or other person responsible for transferring shares and stock certificates.

''(G) A statement of the nature of the business of the issuer and the products and services it offers, which shall be presumed reasonably current if the statement is as of 12 months before the transaction date.

''(H) The names of the officers and directors of the issuer.

''(I) The names of any persons registered as a broker, dealer, or agent that shall be paid or given, directly or indirectly, any commission or remuneration for such person's participation in the offer or sale of the securities.

''(J) The issuer's most recent balance sheet and profit and loss statement and similar financial statements, which shall—

''(i) be for such part of the 2 preceding fiscal years as the issuer has been in operation;

''(ii) be prepared in accordance with generally accepted accounting principles or, in the case of a foreign private issuer, be prepared in accordance with generally accepted accounting principles or the International Financial Reporting Standards issued by the International Accounting Standards Board;

''(iii) be presumed reasonably current if—

''(I) with respect to the balance sheet, the balance sheet is as of a date less than 16 months before the transaction date; and

''(II) with respect to the profit and loss statement, such statement is for the 12 months preceding the date of the issuer's balance sheet; and

''(iv) if the balance sheet is not as of a date less than 6 months before the transaction date, be accompanied by additional statements of profit and loss for the period from the date of such balance sheet to a date less than 6 months before the transaction date.

''(K) To the extent that the seller is a control person with respect to the issuer, a brief statement regarding the nature of the affiliation, and a statement certified by such seller that they have no reasonable grounds to believe that the issuer is in violation of the securities laws or regulations.

''(4) ISSUERS DISQUALIFIED.—The transaction is not for the sale of a security where the seller is an issuer or a subsidiary, either directly or indirectly, of the issuer.

''(5) BAD ACTOR PROHIBITION.—Neither the seller, nor any person that has been or will be paid (directly or indirectly) remuneration or a commission for their participation in the offer or sale of the securities, including solicitation of purchasers for the seller is subject to an event that would disqualify an issuer or other covered person under Rule 506(d)(1) of Regulation D (17 C.F.R. 230.506(d)(1)) or is subject to a statutory disqualification described under section 3(a)(39) of the Securities Exchange Act of 1934.

''(6) BUSINESS REQUIREMENT.—The issuer is engaged in business, is not in the organizational stage or in bankruptcy or receivership, and is not a blank check, blind pool, or shell company that has no specific business plan or purpose or has indicated that the issuer's primary business plan is to engage in a merger or combination of the business with, or an acquisition of, an unidentified person.

''(7) UNDERWRITER PROHIBITION.—The transaction is not with respect to a security that constitutes the whole or part of an unsold allotment to, or a subscription or participation by, a broker or dealer as an underwriter of the security or a redistribution.

''(8) OUTSTANDING CLASS REQUIREMENT.—The transaction is with respect to a security of a class that has been authorized and outstanding for at least 90 days prior to the date of the transaction.

''(e) ADDITIONAL REQUIREMENTS.—

''(1) IN GENERAL.—With respect to an exempted transaction described under subsection (a)(7):

''(A) Securities acquired in such transaction shall be deemed to have been acquired in a transaction not involving any public offering.

''(B) Such transaction shall be deemed not to be a distribution for purposes of section 2(a)(11).

''(C) Securities involved in such transaction shall be deemed to be restricted securities within the meaning of Rule 144 (17 C.F.R. 230.144).

''(2) RULE OF CONSTRUCTION.—The exemption provided by subsection (a)(7) shall not be the exclusive means for establishing an exemption from the registration requirements of section 5.''.

(b) EXEMPTION IN CONNECTION WITH CERTAIN EXEMPT OFFERINGS.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(1) by redesignating the second subparagraph (D) and subparagraph (E) as subparagraphs (E) and (F), respectively;

(2) in subparagraph (E), as so redesignated, by striking ''; or'' and inserting a semicolon;

(3) in subparagraph (F), as so redesignated, by striking the period and inserting ''; or''; and

(4) by adding at the end the following new subparagraph:

''(G) section 4(a)(7).''.

TITLE VII—PRESERVATION ENHANCEMENT AND SAVINGS OPPORTUNITY

SEC. 701. DISTRIBUTIONS AND RESIDUAL RECEIPTS.

Section 222 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4112) is amended by adding at the end the following new subsection:

''(e) DISTRIBUTION AND RESIDUAL RECEIPTS.—

''(1) AUTHORITY.—After the date of the enactment of this subsection, the owner of a property subject to a plan of action or use agreement pursuant to this section shall be entitled to distribute—

''(A) annually, all surplus cash generated by the property, but only if the owner is in material compliance with such use agreement including compliance with prevailing physical condition standards established by the Secretary; and

''(B) notwithstanding any conflicting provision in such use agreement, any funds accumulated in a residual receipts account, but only if the owner is in material compliance with such use agreement and has completed, or set aside sufficient funds for completion of, any capital repairs identified by the most recent third party capital needs assessment.

''(2) OPERATION OF PROPERTY.—An owner that distributes any amounts pursuant to paragraph (1) shall—

''(A) continue to operate the property in accordance with the affordability provisions of the use agreement for the property for the remaining useful life of the property;

''(B) as required by the plan of action for the property, continue to renew or extend any project-based rental assistance contract for a term of not less than 20 years; and

''(C) if the owner has an existing multi-year project-based rental assistance contract for less than 20 years, have the option to extend the contract to a 20-year term.''.

SEC. 702. FUTURE REFINANCINGS.

Section 214 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4104) is amended by adding at the end the following new subsection:

''(c) FUTURE FINANCING.—Neither this section, nor any plan of action or use agreement implementing this section, shall restrict an owner from obtaining a new loan or refinancing an existing loan secured by the project, or from distributing the proceeds of such a loan; except that, in conjunction with such refinancing—

''(1) the owner shall provide for adequate rehabilitation pursuant to a capital needs assessment to ensure long-term sustainability of the property satisfactory to the lender or bond issuance agency;

''(2) any resulting budget-based rent increase shall include debt service on the new financing, commercially reasonable debt service coverage, and replacement reserves as required by the lender; and

''(3) for tenants of dwelling units not covered by a project- or tenant-based rental subsidy, any rent increases resulting from the refinancing transaction may not exceed 10 percent per year, except that—

''(A) any tenant occupying a dwelling unit as of time of the refinancing may not be required to pay for rent and utilities, for the duration of such tenancy, an amount that exceeds the greater of—

''(i) 30 percent of the tenant's income; or

''(ii) the amount paid by the tenant for rent and utilities immediately before such refinancing; and

''(B) this paragraph shall not apply to any tenant who does not provide the owner with proof of income

Paragraph (3) may not be construed to limit any rent increases resulting from increased operating costs for a project.''.

SEC. 703. IMPLEMENTATION.

The Secretary of Housing and Urban Development shall issue any guidance that the Secretary considers necessary to carry out the provisions added by the amendments made by this title not later than the expiration of the 120-day period beginning on the date of the enactment of this Act.

TITLE VIII—TENANT INCOME VERIFICATION RELIEF

SEC. 801. REVIEWS OF FAMILY INCOMES.

(a) IN GENERAL.—The second sentence of paragraph (1) of section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)(1)) is amended by inserting before the period at the end the following: ''; except that, in the case of any family with a fixed income, as defined by the Secretary, after the initial review of the family's income, the public housing agency or owner shall not be

required to conduct a review of the family's income for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, which shall include policies to adjust for inflation-based income changes, that 90 percent or more of the income of the family consists of fixed income, and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years''.

(b) HOUSING CHOICE VOUCHER PROGRAM.—Subparagraph (A) of section 8(o)(5) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(5)(A)) is amended by striking ''not less than annually'' and inserting ''as required by section 3(a)(1) of this Act''.

TITLE IX—HOUSING ASSISTANCE EFFICIENCY

SEC. 901. AUTHORITY TO ADMINISTER RENTAL ASSISTANCE.

Subsection (g) of section 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(g)) is amended by inserting ''private nonprofit organization,'' after ''unit of general local government,''.

SEC. 902. REALLOCATION OF FUNDS.

Paragraph (1) of section 414(d) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(d)(1)) is amended by striking ''twice'' and inserting ''once''.

TITLE X—CHILD SUPPORT ASSISTANCE

SEC. 1001. REQUESTS FOR CONSUMER REPORTS BY STATE OR LOCAL CHILD SUPPORT ENFORCEMENT AGENCIES.

Paragraph (4) of section 604(a) of the Fair Credit Reporting Act (15 U.S.C. 1681b(a)(4)) is amended—

(1) in subparagraph (A), by striking ''or determining the appropriate level of such payments'' and inserting '', determining the appropriate level of such payments, or enforcing a child support order, award, agreement, or judgment'';

(2) in subparagraph (B)—

(A) by striking ''paternity'' and inserting ''parentage''; and

(B) by adding ''and'' at the end;

(3) by striking subparagraph (C); and

(4) by redesignating subparagraph (D) as subparagraph (C).

TITLE XI—PRIVATE INVESTMENT IN HOUSING

SEC. 1101. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') shall establish a demonstration program under which the Secretary may execute budget-neutral, performance-based agreements in fiscal years 2016 through 2019 that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision that—

(I) shall serve as a payment threshold for the term of the agreement; and

(II) requires that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section—

(I) shall be contingent on documented utility savings; and

(II) shall not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD-PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established pre-retrofit;

(ii) annual third-party confirmation of actual utility consumption and cost for utilities;

(iii) annual third-party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third-party determination of savings to the Secretary.

An agreement under this section with an entity shall provide that the entity shall cover costs associated with third-party verification under this subparagraph.

(2) TERMS OF PERFORMANCE-BASED AGREEMENTS.—A performance-based agreement under this section shall include—

(A) the period that the agreement will be in effect and during which payments may be made, which may not be longer than 12 years;

(B) the performance measures that will serve as payment thresholds during the term of the agreement;

(C) an audit protocol for the properties covered by the agreement;

(D) a requirement that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties; and

(E) such other requirements and terms as determined to be appropriate by the Secretary.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that, either jointly or individually, demonstrate significant experience relating to—

(i) financing or operating properties receiving assistance under a program identified in subsection (a);

(ii) oversight of energy or water conservation programs, including oversight of contractors; and

(iii) raising capital for energy or water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(5) PROPERTIES.—A property may only be included in the demonstration under this section only if the property is subject to affordability restrictions for at least 15 years after the date of the completion of any conservation improvements made to the property under the demonstration program. Such restrictions may be made through an extended affordability agreement for the property under a new housing assistance payments contract with the Secretary of Housing and Urban Development or through an enforceable covenant with the owner of the property.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations and Financial Services of the House of Representatives and the Committees on Appropriations and Banking, Housing, and Urban Affairs of the Senate a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).

TITLE XII—CAPITAL ACCESS FOR SMALL COMMUNITY FINANCIAL INSTITUTIONS

SEC. 1201. PRIVATELY INSURED CREDIT UNIONS AUTHORIZED TO BECOME MEMBERS OF A FEDERAL HOME LOAN BANK.

(a) IN GENERAL.—Section 4(a) of the Federal Home Loan Bank Act (12 U.S.C. 1424(a)) is amended by adding at the end the following new paragraph:

''(5) CERTAIN PRIVATELY INSURED CREDIT UNIONS.—

''(A) IN GENERAL.—Subject to the requirements of subparagraph (B), a credit union shall be treated as an insured depository institution for purposes of determining the eligibility of such credit union for membership in a Federal home loan bank under paragraphs (1), (2), and (3).

''(B) CERTIFICATION BY APPROPRIATE SUPERVISOR.—

''(i) IN GENERAL.—For purposes of this paragraph and subject to clause (ii), a credit union which lacks Federal deposit insurance and which has applied for membership in a Federal home loan bank may be treated as meeting all the eligibility requirements for Federal deposit insurance only if the appropriate supervisor of the State in which the credit union is chartered has determined that the credit union meets all the eligibility requirements for Federal deposit insurance as of the date of the application for membership.

''(ii) CERTIFICATION DEEMED VALID.—If, in the case of any credit union to which clause (i) applies, the appropriate supervisor of the State in which such credit union is chartered fails to make a determination pursuant to such clause by the end of the 6-month period beginning on the date of the application, the credit union shall be deemed to have met the requirements of clause (i).

''(C) SECURITY INTERESTS OF FEDERAL HOME LOAN BANK NOT AVOIDABLE.—Notwithstanding any provision of State law authorizing a conservator or liquidating agent of a credit

union to repudiate contracts, no such provision shall apply with respect to—

''(i) any extension of credit from any Federal home loan bank to any credit union which is a member of any such bank pursuant to this paragraph; or

''(ii) any security interest in the assets of such credit union securing any such extension of credit.

''(D) PROTECTION FOR CERTAIN FEDERAL HOME LOAN BANK ADVANCES.—Notwithstanding any State law to the contrary, if a Bank makes an advance under section 10 to a State-chartered credit union that is not federally insured—

''(i) the Bank's interest in any collateral securing such advance has the same priority and is afforded the same standing and rights that the security interest would have had if the advance had been made to a federally insured credit union; and

''(ii) the Bank has the same right to access such collateral that the Bank would have had if the advance had been made to a federally insured credit union.''.

(b) COPIES OF AUDITS OF PRIVATE INSURERS OF CERTAIN DEPOSITORY INSTITUTIONS REQUIRED TO BE PROVIDED TO SUPERVISORY AGENCIES.—Section 43(a)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(a)(2)(A)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by inserting at the end the following new clause:

''(iii) in the case of depository institutions described in subsection (e)(2)(A) the deposits of which are insured by the private insurer which are members of a Federal home loan bank, to the Federal Housing Finance Agency, not later than 7 days after the audit is completed.''.

SEC. 1202. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit a report to Congress—

(1) on the adequacy of insurance reserves held by a private deposit insurer that insures deposits in an entity described in section 43(e)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(e)(2)(A)); and

(2) for an entity described in paragraph (1) the deposits of which are insured by a private deposit insurer, information on the level of compliance with Federal regulations relating to the disclosure of a lack of Federal deposit insurance.

TITLE XIII—SMALL BANK EXAM CYCLE REFORM

SEC. 1301. SMALLER INSTITUTIONS QUALIFYING FOR 18-MONTH EXAMINATION CYCLE.

Section 10(d) of the Federal Deposit Insurance Act (12 U.S.C. 1820(d)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking ''$500,000,000'' and inserting ''$1,000,000,000''; and

(B) in subparagraph (C)(ii), by striking ''$100,000,000'' and inserting ''$200,000,000''; and

(2) in paragraph (10)—

(A) by striking ''$100,000,000'' and inserting ''$200,000,000''; and

(B) by striking ''$500,000,000'' and inserting ''$1,000,000,000''.

TITLE XIV—SMALL COMPANY SIMPLE REGISTRATION

SEC. 1401. FORWARD INCORPORATION BY REFERENCE FOR FORM S–1.

Not later than 45 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise Form S–1 so as to permit a smaller reporting company (as defined in section 230.405 of title 17, Code of Federal Regulations) to incorporate by reference in a registration statement filed on such form any documents that such company files with the Commission after the effective date of such registration statement.

TITLE XV—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION

SEC. 1501. REGISTRATION THRESHOLD FOR SAVINGS AND LOAN HOLDING COMPANIES.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 12(g)—

(A) in paragraph (1)(B), by inserting after ''is a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(B) in paragraph (4), by inserting after ''case of a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(2) in section 15(d), by striking ''case of bank'' and inserting the following: ''case of a bank, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Madam Chair, I yield myself such time as I may consume.

People are still hurting in this economy, Madam Chair. We all know that. We need to do everything we can, as the House, to promote economic growth.

It is very difficult in this Chamber and in this institution to come by bipartisan legislation. But I am proud to say, in the House Financial Services Committee, we have passed numerous pieces of bipartisan legislation. They are modest because they are bipartisan. But they are, nonetheless, important and can make a difference in people's lives.

There are 15 bills that have already passed the House Financial Services Committee either unanimously or near unanimously and then have gone to the House to be debated and have been passed, almost all of them, unanimously by voice vote or near 400-plus votes.

They are bills like H.R. 2064, to help with emerging growth company regulatory reforms; H.R. 1525, that simplifies some of the Security and Exchange Commission disclosures; H.R. 432, the Small Investment Company Regulatory Relief Act; and a number of bills like these that have typically passed our committee 57–0, for example, 60–0, 53–0, and then have gone on to pass the House by voice vote.

Again, these are bipartisan bills. They are modest bills, but they happen to be germane to this transportation bill because of the revenue stream, the funding source, the pay-for in the transportation bill.

So because they have already been debated in committee, passed in the committee, debated in the House, passed in the House, we are simply packaging 15 of these bills together because there is an opportunity to have these become law and benefit the American people.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Madam Chair, I yield myself such time as I may consume.

Madam Chair, this amendment combines 15 Financial Services bills that have had broad bipartisan support and passed through the committee and on the House floor. These bills address important issues that range from helping to preserve affordable rental housing to providing regulatory relief to small banks and reporting companies, to affording start-ups, emerging growth companies and community financial institutions with greater flexibility to raise capital.

Let me be clear. I have supported these bills in committee and on the floor. But, Madam Chair and Members, this Congress is made up of two Houses, the House of Representatives and the Senate. Just as we were given the opportunity to debate and amend these bills, taking into account concerns from our constituents and interested stakeholders, the Senate should also be given the opportunity.

I am also concerned with the other amendments and their potential negative effect on this set of bills. For example, Representative YOUNG has an amendment that would require each rulemaking in the highway bill, as amended, to include a list of information upon which it is based, including data, scientific and economic studies, and cost-benefit analysis, and identify how the public can access such information online.

What this means is that the Securities and Exchange Commission, in conducting its rulemaking under Chairman HENSARLING's amendment, would face this additional administrative hurdle, including the innocent-sounding cost-benefit analysis.

However, cost-benefit analysis is a tool that has been used by the industry and the opposite side of the aisle both in agencies and in the courts and in Congress to delay, weaken, or kill necessary reforms. Such analysis encourages second-guessing, favors easily quantifiable costs over less tangible benefits, and is extremely resource intensive.

That is why my Democratic colleagues and I have opposed its application to the SEC, an agency that already performs economic analysis for its rulemaking and has enough on its plate with its additional responsibility under the JOBS Act and the Dodd-Frank Act.

Requiring the SEC to conduct an onerous cost-benefit analysis is even more concerning with the Republicans'

refusal to adequately fund the agency. So the meager existing funds would have to be diverted from other important SEC functions, like enforcement and investigations.

Cost-benefit analysis in Representative YOUNG's amendment is also opposed by consumer advocates like the Coalition for Sensible Safeguards.

While, again, I support the 15 Financial Services bills in this amendment, I oppose this process of pushing them through the House attached to the highway bill.

Madam Chair and Members, again, this is about process. I do believe that the Senate should have the ability to debate these bills.

Coming out of the Financial Services Committee, we are tasked with the responsibility to take a very complicated subject matter, Financial Services matters, and to make sure that we give every Member an opportunity to have input, to have credible debates. I just believe that the Senate should have that opportunity.

So while we have supported these bills—and Mr. HENSARLING is absolutely correct—we had an opportunity to do that because we understood them very well. We debated them. We had an opportunity to have input to ask questions, to do everything that you need to do to be well informed about legislation that you are either supporting or opposing.

Again, this is about process. I just simply believe that the Senate should have the right to debate.

I yield back the balance of my time.

Mr. HENSARLING. Madam Chair, I yield myself such time as I may consume.

I was listening carefully to my ranking member, and I think the translation is: I was for the bills before I was against the bills. I think she just said she supported all of these on the committee and the floor, she just doesn't support them tonight. And, apparently, the reason has something to do with the fact that the Senate, the other body, the other Chamber, perhaps hasn't gone through the same process that we have.

I didn't know it was our business to do the Senate's business. Our business is to propose and support what the House has done. So I don't know if the ranking member sees the other body as a group of shrinking violets who cannot take care of themselves, who will somehow be overwhelmed by one particular amendment.

I would remind all Members there is this thing called a conference committee between the House and the Senate to work out differences. They have many matters in the Senate bill that have not been debated in the House, yet those will be taken up in conference committee.

So it is late in the evening, Madam Chair, as you well know, and I have heard a lot of very, very interesting things throughout the hours and hours of debate.

But I simply cannot understand how Members will come to the floor and essentially tell us: ''We were for all of these bills, but we are no longer for all of these bills. We were for them before we were against them because we are just afraid the Senate somehow can't take care of themselves.''

I think we should reject that. These are bills that were passed unanimously and near unanimously in the House. They are bipartisan. They include Republican bills, Democrat bills.

As much as I respect the ranking member, this argument makes no sense to me whatsoever.

The House has already spoken on these matters. Let's get the people's business done. I urge all Members to adopt the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. MULLIN

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part B of House Report 114–326.

Mr. MULLIN. Madam Chair, as the designee of the gentleman from Michigan (Mr. UPTON), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, add the following:

DIVISION J—ENERGY SECURITY

SEC. 99001. EMERGENCY PREPAREDNESS FOR ENERGY SUPPLY DISRUPTIONS.

(a) FINDING.—Congress finds that recent natural disasters have underscored the importance of having resilient oil and natural gas infrastructure and effective ways for industry and government to communicate to address energy supply disruptions.

(b) AUTHORIZATION FOR ACTIVITIES TO ENHANCE EMERGENCY PREPAREDNESS FOR NATURAL DISASTERS.—The Secretary of Energy shall develop and adopt procedures to—

(1) improve communication and coordination between the Department of Energy's energy response team, Federal partners, and industry;

(2) leverage the Energy Information Administration's subject matter expertise within the Department's energy response team to improve supply chain situation assessments;

(3) establish company liaisons and direct communication with the Department's energy response team to improve situation assessments;

(4) streamline and enhance processes for obtaining temporary regulatory relief to speed up emergency response and recovery;

(5) facilitate and increase engagement among States, the oil and natural gas industry, and the Department in developing State and local energy assurance plans;

(6) establish routine education and training programs for key government emergency response positions with the Department and States; and

(7) involve States and the oil and natural gas industry in comprehensive drill and exercise programs.

(c) COOPERATION.—The activities carried out under subsection (b) shall include collaborative efforts with State and local government officials and the private sector.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the effectiveness of the activities authorized under this section.

SEC. 99002. RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS.

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

''(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

''(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

''(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.

''(5) If an order issued under this subsection is subsequently stayed, modified, or set aside by a court pursuant to section 313 or any other provision of law, any omission or action previously taken by a party that was necessary to comply with the order while the order was in effect, including any omission or action taken to voluntarily comply with the order, shall remain subject to paragraph (3).''.

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting ''or municipality'' before ''engaged in the transmission or sale of electric energy''.

SEC. 99003. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

(a) CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.—Part II of the Federal Power Act (16

U.S.C. 824 et seq.) is amended by adding after section 215 the following new section:

"SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

''(a) DEFINITIONS.—For purposes of this section:

''(1) BULK-POWER SYSTEM; ELECTRIC RELIABILITY ORGANIZATION; REGIONAL ENTITY.—The terms 'bulk-power system', 'Electric Reliability Organization', and 'regional entity' have the meanings given such terms in paragraphs (1), (2), and (7) of section 215(a), respectively.

''(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'critical electric infrastructure' means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters.

''(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The term 'critical electric infrastructure information' means information related to critical electric infrastructure, or proposed critical electrical infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission under subsection (d)(2). Such term includes information that qualifies as critical energy infrastructure information under the Commission's regulations.

''(4) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'defense critical electric infrastructure' means any electric infrastructure located in the United States (including the territories) that serves a facility designated by the Secretary pursuant to subsection (c), but is not owned or operated by the owner or operator of such facility.

''(5) ELECTROMAGNETIC PULSE.—The term 'electromagnetic pulse' means 1 or more pulses of electromagnetic energy emitted by a device capable of disabling or disrupting operation of, or destroying, electronic devices or communications networks, including hardware, software, and data, by means of such a pulse.

''(6) GEOMAGNETIC STORM.—The term 'geomagnetic storm' means a temporary disturbance of the Earth's magnetic field resulting from solar activity.

''(7) GRID SECURITY EMERGENCY.—The term 'grid security emergency' means the occurrence or imminent danger of—

''(A)(i) a malicious act using electronic communication or an electromagnetic pulse, or a geomagnetic storm event, that could disrupt the operation of those electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of critical electric infrastructure or of defense critical electric infrastructure; and

''(ii) disruption of the operation of such devices or networks, with significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure, as a result of such act or event; or

''(B)(i) a direct physical attack on critical electric infrastructure or on defense critical electric infrastructure; and

''(ii) significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure as a result of such physical attack.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(b) AUTHORITY TO ADDRESS GRID SECURITY EMERGENCY.—

''(1) AUTHORITY.—Whenever the President issues and provides to the Secretary a written directive or determination identifying a grid security emergency, the Secretary may, with or without notice, hearing, or report, issue such orders for emergency measures as are necessary in the judgment of the Secretary to protect or restore the reliability of critical electric infrastructure or of defense critical electric infrastructure during such emergency. As soon as practicable but not later than 180 days after the date of enactment of this section, the Secretary shall, after notice and opportunity for comment, establish rules of procedure that ensure that such authority can be exercised expeditiously.

''(2) NOTIFICATION OF CONGRESS.—Whenever the President issues and provides to the Secretary a written directive or determination under paragraph (1), the President shall promptly notify congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, such directive or determination.

''(3) CONSULTATION.—Before issuing an order for emergency measures under paragraph (1), the Secretary shall, to the extent practicable in light of the nature of the grid security emergency and the urgency of the need for action, consult with appropriate governmental authorities in Canada and Mexico, entities described in paragraph (4), the Electricity Sub-sector Coordinating Council, the Commission, and other appropriate Federal agencies regarding implementation of such emergency measures.

''(4) APPLICATION.—An order for emergency measures under this subsection may apply to—

''(A) the Electric Reliability Organization;

''(B) a regional entity; or

''(C) any owner, user, or operator of critical electric infrastructure or of defense critical electric infrastructure within the United States.

''(5) EXPIRATION AND REISSUANCE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an order for emergency measures issued under paragraph (1) shall expire no later than 15 days after its issuance.

''(B) EXTENSIONS.—The Secretary may reissue an order for emergency measures issued under paragraph (1) for subsequent periods, not to exceed 15 days for each such period, provided that the President, for each such period, issues and provides to the Secretary a written directive or determination that the grid security emergency identified under paragraph (1) continues to exist or that the emergency measure continues to be required.

''(6) COST RECOVERY.—

''(A) CRITICAL ELECTRIC INFRASTRUCTURE.—If the Commission determines that owners, operators, or users of critical electric infrastructure have incurred substantial costs to comply with an order for emergency measures issued under this subsection and that such costs were prudently incurred and cannot reasonably be recovered through regulated rates or market prices for the electric energy or services sold by such owners, operators, or users, the Commission shall, consistent with the requirements of section 205, after notice and an opportunity for comment, establish a mechanism that permits such owners, operators, or users to recover such costs.

''(B) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—To the extent the owner or operator of defense critical electric infrastructure is required to take emergency measures pursuant to an order issued under this subsection, the owners or operators of a critical defense facility or facilities designated by the Secretary pursuant to subsection (c) that rely upon such infrastructure shall bear the full incremental costs of the measures.

''(7) TEMPORARY ACCESS TO CLASSIFIED INFORMATION.—The Secretary, and other appropriate Federal agencies, shall, to the extent practicable and consistent with their obligations to protect classified information, provide temporary access to classified information related to a grid security emergency for which emergency measures are issued under paragraph (1) to key personnel of any entity subject to such emergency measures to enable optimum communication between the entity and the Secretary and other appropriate Federal agencies regarding the grid security emergency.

''(c) DESIGNATION OF CRITICAL DEFENSE FACILITIES.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with other appropriate Federal agencies and appropriate owners, users, or operators of infrastructure that may be defense critical electric infrastructure, shall identify and designate facilities located in the United States (including the territories) that are—

''(1) critical to the defense of the United States; and

''(2) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider.

The Secretary may, in consultation with appropriate Federal agencies and appropriate owners, users, or operators of defense critical electric infrastructure, periodically revise the list of designated facilities as necessary.

''(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

''(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Critical electric infrastructure information—

''(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

''(B) shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records.

''(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than one year after the date of enactment of this section, the Commission, in consultation with the Secretary of Energy, shall promulgate such regulations and issue such orders as necessary to—

''(A) designate information as critical electric infrastructure information;

''(B) prohibit the unauthorized disclosure of critical electric infrastructure information;

''(C) ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section; and

''(D) taking into account standards of the Electric Reliability Organization, facilitate voluntary sharing of critical electric infrastructure information with, between, and by—

''(i) Federal, State, political subdivision, and tribal authorities;

''(ii) the Electric Reliability Organization;

''(iii) regional entities;

''(iv) information sharing and analysis centers established pursuant to Presidential Decision Directive 63;

''(v) owners, operators, and users of critical electric infrastructure in the United States; and

''(vi) other entities determined appropriate by the Commission.

''(3) CONSIDERATIONS.—In promulgating regulations and issuing orders under paragraph (2), the Commission shall take into consideration the role of State commissions in reviewing the prudence and cost of investments, determining the rates and terms of

conditions for electric services, and ensuring the safety and reliability of the bulk-power system and distribution facilities within their respective jurisdictions.

''(4) PROTOCOLS.—The Commission shall, in consultation with Canadian and Mexican authorities, develop protocols for the voluntary sharing of critical electric infrastructure information with Canadian and Mexican authorities and owners, operators, and users of the bulk-power system outside the United States.

''(5) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section shall require a person or entity in possession of critical electric infrastructure information to share such information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

''(6) SUBMISSION OF INFORMATION TO CONGRESS.—Nothing in this section shall permit or authorize the withholding of information from Congress, any committee or subcommittee thereof, or the Comptroller General.

''(7) DISCLOSURE OF NONPROTECTED INFORMATION.—In implementing this section, the Commission shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

''(8) DURATION OF DESIGNATION.—Information may not be designated as critical electric infrastructure information for longer than 5 years, unless specifically re-designated by the Commission.

''(9) REMOVAL OF DESIGNATION.—The Commission shall remove the designation of critical electric infrastructure information, in whole or in part, from a document or electronic communication if the Commission determines that the unauthorized disclosure of such information could no longer be used to impair the security or reliability of the bulk-power system or distribution facilities.

''(10) JUDICIAL REVIEW OF DESIGNATIONS.—Notwithstanding section 313(b), any determination by the Commission concerning the designation of critical electric infrastructure information under this subsection shall be subject to review under chapter 7 of title 5, United States Code, except that such review shall be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in the District of Columbia. In such a case the court shall examine in camera the contents of documents or electronic communications that are the subject of the determination under review to determine whether such documents or any part thereof were improperly designated or not designated as critical electric infrastructure information.

''(e) SECURITY CLEARANCES.—The Secretary shall facilitate and, to the extent practicable, expedite the acquisition of adequate security clearances by key personnel of any entity subject to the requirements of this section, to enable optimum communication with Federal agencies regarding threats to the security of the critical electric infrastructure. The Secretary, the Commission, and other appropriate Federal agencies shall, to the extent practicable and consistent with their obligations to protect classified and critical electric infrastructure information, share timely actionable information regarding grid security with appropriate key personnel of owners, operators, and users of the critical electric infrastructure.

''(f) CLARIFICATIONS OF LIABILITY.—

''(1) COMPLIANCE WITH OR VIOLATION OF THIS ACT.—Except as provided in paragraph (4), to the extent any action or omission taken by an entity that is necessary to comply with an order for emergency measures issued under subsection (b)(1), including any action or omission taken to voluntarily comply with such order, results in noncompliance with, or causes such entity not to comply with any rule, order, regulation, or provision of this Act, including any reliability standard approved by the Commission pursuant to section 215, such action or omission shall not be considered a violation of such rule, order, regulation, or provision.

''(2) RELATION TO SECTION 202(c).—Except as provided in paragraph (4), an action or omission taken by an owner, operator, or user of critical electric infrastructure or of defense critical electric infrastructure to comply with an order for emergency measures issued under subsection (b)(1) shall be treated as an action or omission taken to comply with an order issued under section 202(c) for purposes of such section.

''(3) SHARING OR RECEIPT OF INFORMATION.—No cause of action shall lie or be maintained in any Federal or State court for the sharing or receipt of information under, and that is conducted in accordance with, subsection (d).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require dismissal of a cause of action against an entity that, in the course of complying with an order for emergency measures issued under subsection (b)(1) by taking an action or omission for which they would be liable but for paragraph (1) or (2), takes such action or omission in a grossly negligent manner.''.

(b) CONFORMING AMENDMENTS.—

(1) JURISDICTION.—Section 201(b)(2) of the Federal Power Act (16 U.S.C. 824(b)(2)) is amended by inserting ''215A,'' after ''215,'' each place it appears.

(2) PUBLIC UTILITY.—Section 201(e) of the Federal Power Act (16 U.S.C. 824(e)) is amended by inserting ''215A,'' after ''215,''.

SEC. 99004. STRATEGIC TRANSFORMER RESERVE.

(a) FINDING.—Congress finds that the storage of strategically located spare large power transformers and emergency mobile substations will reduce the vulnerability of the United States to multiple risks facing electric grid reliability, including physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, and seismic events.

(b) DEFINITIONS.—In this section:

(1) BULK-POWER SYSTEM.—The term ''bulk-power system'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) CRITICALLY DAMAGED LARGE POWER TRANSFORMER.—The term ''critically damaged large power transformer'' means a large power transformer that—

(A) has sustained extensive damage such that—

(i) repair or refurbishment is not economically viable; or

(ii) the extensive time to repair or refurbish the large power transformer would create an extended period of instability in the bulk-power system; and

(B) prior to sustaining such damage, was part of the bulk-power system.

(3) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ''critical electric infrastructure'' has the meaning given that term in section 215A of the Federal Power Act.

(4) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(5) EMERGENCY MOBILE SUBSTATION.—The term ''emergency mobile substation'' means a mobile substation or mobile transformer that is—

(A) assembled and permanently mounted on a trailer that is capable of highway travel and meets relevant Department of Transportation regulations; and

(B) intended for express deployment and capable of being rapidly placed into service.

(6) LARGE POWER TRANSFORMER.—The term ''large power transformer'' means a power transformer with a maximum nameplate rating of 100 megavolt-amperes or higher, including related critical equipment, that is, or is intended to be, a part of the bulk-power system.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(8) SPARE LARGE POWER TRANSFORMER.—The term ''spare large power transformer'' means a large power transformer that is stored within the Strategic Transformer Reserve to be available to temporarily replace a critically damaged large power transformer.

(c) STRATEGIC TRANSFORMER RESERVE PLAN.—

(1) PLAN.—Not later than one year after the date of enactment of this Act, the Secretary, acting through the Office of Electricity Delivery and Energy Reliability, shall, in consultation with the Federal Energy Regulatory Commission, the Electricity Sub-sector Coordinating Council, the Electric Reliability Organization, and owners and operators of critical electric infrastructure and defense and military installations, prepare and submit to Congress a plan to establish a Strategic Transformer Reserve for the storage, in strategically located facilities, of spare large power transformers and emergency mobile substations in sufficient numbers to temporarily replace critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations.

(2) INCLUSIONS.—The Strategic Transformer Reserve plan shall include a description of—

(A) the appropriate number and type of spare large power transformers necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations to mitigate significant impacts to the electric grid resulting from—

(i) physical attack;

(ii) cyber attack;

(iii) electromagnetic pulse attack;

(iv) geomagnetic disturbances;

(v) severe weather; or

(vi) seismic events;

(B) other critical electric grid equipment for which an inventory of spare equipment, including emergency mobile substations, is necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations;

(C) the degree to which utility sector actions or initiatives, including individual utility ownership of spare equipment, joint ownership of spare equipment inventory, sharing agreements, or other spare equipment reserves or arrangements, satisfy the needs identified under subparagraphs (A) and (B);

(D) the potential locations for, and feasibility and appropriate number of, strategic storage locations for reserve equipment, including consideration of—

(i) the physical security of such locations;

(ii) the protection of the confidentiality of such locations; and

(iii) the proximity of such locations to sites of potentially critically damaged large power transformers and substations that are

critical electric infrastructure or serve defense and military installations, so as to enable efficient delivery of equipment to such sites;

(E) the necessary degree of flexibility of spare large power transformers to be included in the Strategic Transformer Reserve to conform to different substation configurations, including consideration of transformer—

(i) power and voltage rating for each winding;

(ii) overload requirements;

(iii) impedance between windings;

(iv) configuration of windings; and

(v) tap requirements;

(F) an estimate of the direct cost of the Strategic Transformer Reserve, as proposed, including—

(i) the cost of storage facilities;

(ii) the cost of the equipment; and

(iii) management, maintenance, and operation costs;

(G) the funding options available to establish, stock, manage, and maintain the Strategic Transformer Reserve, including consideration of fees on owners and operators of bulk-power system facilities, critical electric infrastructure, and defense and military installations relying on the Strategic Transformer Reserve, use of Federal appropriations, and public-private cost-sharing options;

(H) the ease and speed of transportation, installation, and energization of spare large power transformers to be included in the Strategic Transformer Reserve, including consideration of factors such as—

(i) transformer transportation weight;

(ii) transformer size;

(iii) topology of critical substations;

(iv) availability of appropriate transformer mounting pads;

(v) flexibility of the spare large power transformers as described in subparagraph (E); and

(vi) ability to rapidly transition a spare large power transformer from storage to energization;

(I) eligibility criteria for withdrawal of equipment from the Strategic Transformer Reserve;

(J) the process by which owners or operators of critically damaged large power transformers or substations that are critical electric infrastructure or serve defense and military installations may apply for a withdrawal from the Strategic Transformer Reserve;

(K) the process by which equipment withdrawn from the Strategic Transformer Reserve is returned to the Strategic Transformer Reserve or is replaced;

(L) possible fees to be paid by users of equipment withdrawn from the Strategic Transformer Reserve;

(M) possible fees to be paid by owners and operators of large power transformers and substations that are critical electric infrastructure or serve defense and military installations to cover operating costs of the Strategic Transformer Reserve;

(N) the domestic and international large power transformer supply chain;

(O) the potential reliability, cost, and operational benefits of including emergency mobile substations in any Strategic Transformer Reserve established under this section; and

(P) other considerations for designing, constructing, stocking, funding, and managing the Strategic Transformer Reserve.

(d) ESTABLISHMENT.—The Secretary may establish a Strategic Transformer Reserve in accordance with the plan prepared pursuant to subsection (c) after the date that is 6 months after the date on which such plan is submitted to Congress.

(e) DISCLOSURE OF INFORMATION.—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which could cause harm to critical electric infrastructure, shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records.

SEC. 99005. ENERGY SECURITY VALUATION.

(a) ESTABLISHMENT OF ENERGY SECURITY VALUATION METHODS.—Not later than one year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit, after public notice and comment, to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate a report that develops recommended United States energy security valuation methods. In developing the report, the Secretaries may consider the recommendations of the Administration's Quadrennial Energy Review released on April 21, 2015. The report shall—

(1) evaluate and define United States energy security to reflect modern domestic and global energy markets and the collective needs of the United States and its allies and partners;

(2) identify transparent and uniform or coordinated procedures and criteria to ensure that energy-related actions that significantly affect the supply, distribution, or use of energy are evaluated with respect to their potential impact on energy security, including their impact on—

(A) consumers and the economy;

(B) energy supply diversity and resiliency;

(C) well-functioning and competitive energy markets;

(D) United States trade balance; and

(E) national security objectives; and

(3) include a recommended implementation strategy that identifies and aims to ensure that the procedures and criteria referred to in paragraph (2) are—

(A) evaluated consistently across the Federal Government; and

(B) weighed appropriately and balanced with environmental considerations required by Federal law.

(b) PARTICIPATION.—In developing the report referred to in subsection (a), the Secretaries may consult with relevant Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

The Acting CHAIR. Pursuant to House Resolution 512, 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, I am offering this amendment on behalf of Chairman UPTON. I would like to thank him for his leadership on the energy issues.

This is a noncontroversial provision that had bipartisan support when it was reported out of the full committee. I would urge my colleagues to support it.

□ 0100

Madam Chair, I yield such time as he may consume to the gentleman from Texas (Mr. OLSON) for the purpose of supporting the amendment.

Mr. OLSON. Madam Chair, I thank my friend from Oklahoma.

Madam Chair, a special thanks to the gentleman from Michigan (Mr. UPTON), my committee chairman, for having this amendment in this important highway bill. This amendment is common sense. There is a great saying in America, ''The third time is a charm.''

These exact words have passed this body three straight times. In the 112th, the 113th, and the current 114th Congress, this exact language has passed this body without objection, all ''yea'' votes. It is noncontroversial.

This amendment does one simple thing. It ensures that our power grid will be reliable in a power crisis, and that crisis won't become a legal crisis as has happened at least two times in the last 10 years.

It is the same scenario: there is a power crisis, the entity that controls the grid says to keep that grid up and running, the operator says we will see our permits from EPA, they do that, and they are sued. This amendment says to stop that practice. If you are told to keep the grid up and running, you can do that for at least 16 days.

Madam Chair, I urge my colleagues to support this amendment one more time because right now we have the chance to have it go to the President and become signed into law to make our grid safer and more reliable for future Americans.

Mr. MULLIN. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

The amendment was agreed to.

Mr. MULLIN. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. OLSON) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, had come to no resolution thereon.

HOUR OF MEETING ON TOMORROW

Mr. MULLIN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. today.

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

There was no objection.

APPOINTMENT OF MEMBERS TO SELECT INVESTIGATIVE PANEL OF THE COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 2(a) of House Resolution 461, 114th Congress, and the order of the House of January 6, 2015, of the following Members to the Select Investigative Panel on the Committee on Energy and Commerce:

Ms. SCHAKOWSKY, Illinois
Mr. NADLER, New York
Ms. DEGETTE, Colorado
Ms. SPEIER, California
Ms. DELBENE, Washington
Mrs. WATSON COLEMAN, New Jersey

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today after 10 p.m. and November 5 on account of medical emergency.

ADJOURNMENT

Mr. MULLIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until today, Thursday, November 4, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3372. A letter from the Assistant Secretary, Securities and Exchange Commission, transmitting the Commission's Major final rule — Crowdfunding [Release Nos.: 33-9974; 34-76324; File No.: S7-09-13] (RIN: 3235-AL37) received November 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3373. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Administration's FY 2014 Performance Report to Congress for the Office of Combination Products, pursuant to the Medical Device User Fee and Modernization Act of 2002, Pub. L. 107-250, 21 U.S.C. 353(g); to the Committee on Energy and Commerce.

3374. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's annual report to Congress for FY 2014 regarding imported foods, pursuant to Sec. 1009 of the Food and Drug Administration Amendments Act of 2007, Pub. L. 110-85; to the Committee on Energy and Commerce.

3375. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to Turkey, Transmittal No. 14-01, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended, and certification, pursuant to 22 U.S.C. 2373(d); Foreign Assistance Act, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3376. A letter from the Director, International Cooperation, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign a Project Arrangement to the Memorandum of Understanding Between the Department of Defense of the United States of America and the Department of Defense of Australia, Transmittal No. 08-15, pursuant to Executive Order 13637 and, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

3377. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the Board's Semiannual Report to Congress for the six-month period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); to the Committee on Oversight and Government Reform.

3378. A letter from the Chairman, Board of Trustees and President, John F. Kennedy Center for the Performing Arts, transmitting the Center's report and attachments, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 8G(h)(2); Public Law 100-504, Sec. 104(a); to the Committee on Oversight and Government Reform.

3379. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE210) received November 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under Clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2130. A bill to provide legal certainty to property owners along the Red River in Texas, and for other purposes; with an amendment (Rept. 114–327). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT (for himself, Mr. GOODLATTE, Mr. HARRIS, and Mr. BOUSTANY):

H.R. 3918. A bill to modify the provisions of the Immigration and Nationality Act relating to nonimmigrant visas issued under section 101(a)(15)(H)(ii)(b) of such Act, and for other purposes; to the Committee on the Judiciary, 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. CÁRDENAS (for himself, Mrs. RADEWAGEN, Ms. BROWNLEY of California, Mr. JOLLY, Mr. RYAN of Ohio, Mr. BLUMENAUER, Mr. BISHOP of Georgia, Mr. JONES, Ms. JACKSON LEE, Mr. SERRANO, Ms. JUDY CHU of California, Mr. HONDA, Mr. GARAMENDI, Mrs. NAPOLITANO, Mr. BUTTERFIELD, Mr. VEASEY, Mr. SABLAN, Ms. BORDALLO, Mr. KILMER, and Mr. VAN HOLLEN):

H.R. 3919. A bill to authorize the Secretary of Labor to award special recognition to employers for veteran-friendly employment practices; to the Committee on Education and the Workforce, and in addition to the Committee on Veterans' Affairs, 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. FITZPATRICK (for himself, Mrs. BLACKBURN, Mr. SMITH of New Jersey, and Mr. SABLAN):

H.R. 3920. A bill to direct the Commissioner of Food and Drugs to issue an order withdrawing approval for Essure System; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ:

H.R. 3921. A bill to amend the Securities Exchange Act of 1934 to require certain reporting by hedge funds that are the beneficial owner of more than 1 percent of a class of security, and for other purposes; to the Committee on Financial Services.

By Mr. KELLY of Pennsylvania (for himself and Mr. SAM JOHNSON of Texas):

H.R. 3922. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income and Security Act of 1974 to provide for a best interest standard for advice fiduciaries, and for other purposes; to the Committee on Education and the Workforce, 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. HUDSON:

H.R. 3923. A bill to provide for a report that develops recommended United States energy security valuation methods; to the Committee on Energy and Commerce.

By Mr. CASTRO of Texas (for himself and Mr. MCCAUL):

H.R. 3924. A bill to establish in the United States Agency for International Development an entity to be known as the United States Global Development Lab, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. DAVIS of California:

H.R. 3925. A bill to direct the Secretary of Education to carry out a program of canceling certain Federal student loans of principals in high need schools; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself, Ms. NORTON, Mr. RYAN of Ohio, Mr. HASTINGS, Mr. BLUMENAUER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. VAN HOLLEN, Mr. MURPHY of Florida, Mr. GALLEGO, Mr. RANGEL, Mr. MCGOVERN, Ms. BROWNLEY of California, Mrs. LAWRENCE, Mr. GRIJALVA, Ms. MCCOLLUM, Mr. RICHMOND, Mr. CÁRDENAS, Ms. EDWARDS, Ms. MOORE, Mrs. WATSON COLEMAN, Ms. JACKSON LEE, Ms. VELÁZQUEZ, Ms. ESTY, Mrs. NAPOLITANO, Mr. FARR, Ms. CASTOR of Florida, Mr. LIPINSKI, Mr. RUSH, Mr. SIRES, Mr. NORCROSS, Mr. MEEKS, Ms. PINGREE, Mr. COHEN, Mr. CONNOLLY, Ms. ADAMS, Mr. RUPPERSBERGER, and Mr. MOULTON):

H.R. 3926. A bill to amend the Public Health Service Act to provide for better understanding of the epidemic of gun violence, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUFFMAN (for himself, Ms. JUDY CHU of California, Ms. BONAMICI, Mr. DEFAZIO, Mr. MCDERMOTT, Mr. TED LIEU of California, Ms. ROYBAL-ALLARD, Ms. ESHOO, Mr. SCHRADER, Ms. LOFGREN,

Mr. HECK of Washington, Mr. DESAULNIER, Mrs. CAPPS, Mr. SWALWELL of California, Mr. BLUMENAUER, Mr. HONDA, Ms. EDWARDS, Ms. SPEIER, Mr. THOMPSON of California, Mrs. NAPOLITANO, Mr. FARR, Ms. LEE, Mr. KILMER, Mr. GARAMENDI, Mr. LOWENTHAL, Mr. LARSEN of Washington, Ms. MATSUI, Mr. SMITH of Washington, Ms. DELBENE, Mr. PETERS, and Mrs. DAVIS of California):

H.R. 3927. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Natural Resources.

By Mr. KING of Iowa (for himself, Mr. BARLETTA, Mr. GOHMERT, Mr. GOSAR, Mr. BROOKS of Alabama, Mr. DUNCAN of South Carolina, Mr. SMITH of Texas, and Mr. BABIN):

H.R. 3928. A bill to authorize the Capitol Police to enforce the immigration laws, and for other purposes; to the Committee on House Administration.

By Mr. LATTA (for himself, Mr. FRANKS of Arizona, Mr. PITTENGER, Mr. STEWART, Mr. JONES, Mr. PETERS, Mr. MCKINLEY, Mr. SCHWEIKERT, Mr. HUNTER, Mr. TURNER, Mr. KING of New York, Mr. MEEKS, Mr. MILLER of Florida, Mr. CARSON of Indiana, Mr. VAN HOLLEN, Mr. THOMPSON of Pennsylvania, Mr. KING of Iowa, Mr. RUSSELL, Mr. GIBBS, Ms. KAPTUR, Mr. FORBES, Miss RICE of New York, Mr. HIGGINS, Mr. JOLLY, Mr. MESSER, Mr. WALBERG, Mr. LARSON of Connecticut, Mrs. COMSTOCK, Mr. DESANTIS, and Mr. ZINKE):

H.R. 3929. A bill to award the Congressional Gold Medal, collectively, to the members of the Office of Strategic Services (OSS) in recognition of their superior service and major contributions during World War II; to the Committee on Financial Services, and in addition to the Committee on House Administration, 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. NORTON:

H.R. 3930. A bill to amend title XIX of the Social Security Act to increase the Federal medical assistance percentage for the District of Columbia under the Medicaid Program to 80 percent; to the Committee on Energy and Commerce.

By Mr. WESTERMAN (for himself, Mr. CRAWFORD, Mr. HILL, Mr. ZINKE, Mr. MCDERMOTT, and Mr. WOMACK):

H.R. 3931. A bill to designate the facility of the United States Postal Service located at 620 Central Avenue Suite 1A in Hot Springs National Park, Arkansas, as the ''Chief Petty Officer Adam Brown United States Post Office''; to the Committee on Oversight and Government Reform.

By Mr. MOONEY of West Virginia (for himself, Mr. ROGERS of Alabama, Mr. MEADOWS, Mr. MOOLENAAR, Mr. DUNCAN of South Carolina, Mr. LOUDERMILK, Mr. WEBER of Texas, Mr. CRAMER, Mr. HULTGREN, Mr. LAMALFA, Mr. JONES, Mr. FRANKS of Arizona, Mr. HARPER, Mr. KELLY of Pennsylvania, Mr. PEARCE, Mr. FLEMING, and Mr. PALAZZO):

H. Res. 514. A resolution protecting Religious Freedom in America; to the Committee on the Judiciary.

By Mr. ROSS (for himself and Ms. GRAHAM):

H. Res. 515. A resolution expressing the sense of the House of Representatives regarding the importance of civic education and civic involvement programs in the elementary and secondary schools of the United States; to the Committee on Education and the Workforce.

By Mr. WENSTRUP:

H. Res. 516. A resolution recognizing the individuals who have served, or are serving, in the Armed Forces and have also served, or are serving, as a peace officer or as a first responder and expressing support for the designation of November 10 as Armed Forces, Peace Officer, and First Responder Dual Service Recognition Day; to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CHABOT:

H.R. 3918.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4

By Mr. CÁRDENAS:

H.R. 3919.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. FITZPATRICK:

H.R. 3920.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. VELÁZQUEZ:

H.R. 3921.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KELLY of Pennsylvania:

H.R. 3922.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 3 of Section 8 of Article I of the United States Constitution. he Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HUDSON:

H.R. 3923.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CASTRO of Texas:

H.R. 3924.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Authority—Necessary and Proper Clause (Art. I, Sec. 8, Clause 18)

THE U.S. CONSTITUTION ARTICLE I, SECTION 8: POWERS OF CONGRESS CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mrs. DAVIS of California:

H.R. 3925.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. HONDA:

H.R. 3926.

Congress has the power to enact this legislation pursuant to the following:

Article I Sec. 8

By Mr. HUFFMAN:

H.R. 3927.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. KING of Iowa:

H.R. 3928.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 4 ''to establish an uniform Rule of Naturalization.''

By Mr. LATTA:

H.R. 3929.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. NORTON:

H.R. 3930.

Congress has the power to enact this legislation pursuant to the following:

clauses 1 and 18 of section 8 of article I of the Constitution.

By Mr. WESTERMAN:

H.R. 3931.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause 7 of the United State Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. MCKINLEY.

H.R. 242: Ms. KUSTER.

H.R. 249: Mr. KILDEE.

H.R. 317: Mr. LANGEVIN.

H.R. 379: Ms. CASTOR of Florida and Mr. DONOVAN.

H.R. 430: Mr. TAKANO.

H.R. 467: Mr. HUFFMAN.

H.R. 592: Mr. REICHERT.

H.R. 594: Mrs. LOVE.

H.R. 624: Ms. MCSALLY.

H.R. 670: Mr. ISRAEL.

H.R. 816: Mr. AUSTIN SCOTT of Georgia.

H.R. 833: Mr. GRIJALVA, Ms. EDWARDS, and Mr. HONDA.

H.R. 842: Mr. MEADOWS.

H.R. 845: Mr. BROOKS of Alabama and Mr. MEADOWS.

H.R. 879: Mr. KELLY of Mississippi, Mr. HURD of Texas, Mr. BRIDENSTINE, and Mr. HUDSON.

H.R. 912: Mr. COHEN.

H.R. 953: Mr. ROSS.

H.R. 969: Mr. RICE of South Carolina.

H.R. 985: Mrs. WAGNER.

H.R. 1054: Mr. BROOKS of Alabama, Mr. LAMALFA, Mr. KING of Iowa, Mr. JODY B. HICE of Georgia, Mr. HUELSKAMP, Mr. WILSON of South Carolina, Mr. ABRAHAM, and Mr. WEBSTER of Florida.

H.R. 1061: Ms. KAPTUR, Ms. NORTON, Mr. MCDERMOTT, Ms. TSONGAS, Mr. RUSH, Mr. DEFAZIO, and Mr. CARSON of Indiana.

H.R. 1093: Mr. JONES.
H.R. 1174: Mr. BISHOP of Georgia, Mr. DENHAM, Mrs. WATSON COLEMAN, Mr. PAYNE, Mr. LOWENTHAL, and Mr. RANGEL.
H.R. 1192: Mr. SAM JOHNSON of Texas, Mr. KILMER, Mr. GIBSON, and Mrs. DAVIS of California.
H.R. 1194: Ms. DUCKWORTH.
H.R. 1197: Mr. ZELDIN.
H.R. 1202: Mr. EMMER of Minnesota.
H.R. 1211: Ms. SPEIER.
H.R. 1277: Mr. TAKAI.
H.R. 1288: Ms. LEE and Ms. BONAMICI.
H.R. 1453: Mr. FORTENBERRY and Mr. NOLAN.
H.R. 1552: Mr. HASTINGS, Ms. MCCOLLUM, Mr. GRAYSON, Mrs. WATSON COLEMAN, Ms. MATSUI, Mr. QUIGLEY, and Mr. VAN HOLLEN.
H.R. 1568: Ms. CASTOR of Florida.
H.R. 1594: Mr. KILDEE.
H.R. 1608: Ms. ROS-LEHTINEN.
H.R. 1688: Mr. BOST.
H.R. 1715: Mrs. ELLMERS of North Carolina.
H.R. 1728: Mr. RUSH, Ms. MENG, and Ms. GRAHAM.
H.R. 1752: Mr. COSTELLO of Pennsylvania.
H.R. 1784: Mr. ROUZER.
H.R. 1821: Mr. LARSEN of Washington.
H.R. 1877: Mr. JOLLY, Mr. KILDEE, and Mr. CARTWRIGHT.
H.R. 1902: Ms. EDWARDS.
H.R. 2000: Mr. CICILLINE.
H.R. 2043: Ms. TSONGAS and Mr. RUPPERSBERGER.
H.R. 2050: Mr. CUELLAR and Ms. SEWELL of Alabama.
H.R. 2058: Mr. HUDSON.
H.R. 2125: Mr. TAKANO.
H.R. 2142: Mr. ASHFORD.
H.R. 2153: Mr. VAN HOLLEN.
H.R. 2156: Mr. CONAWAY.
H.R. 2241: Mr. DONOVAN, Mr. ENGEL, Mr. KEATING, Mr. PASCRELL, Mr. HIGGINS, Ms. MENG, and Mr. SHERMAN.
H.R. 2278: Mr. CULBERSON.
H.R. 2285: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2292: Mr. FOSTER.
H.R. 2407: Ms. ADAMS.
H.R. 2434: Mr. EMMER of Minnesota.
H.R. 2477: Mr. HURD of Texas.
H.R. 2515: Ms. CASTOR of Florida and Mr. SENSENBRENNER,
H.R. 2520: Mr. HUDSON.
H.R. 2528: Mr. BISHOP of Georgia.
H.R. 2533: Ms. DUCKWORTH.
H.R. 2546: Mr. QUIGLEY.
H.R. 2590: Ms. KUSTER.
H.R. 2606: Mr. HUIZENGA of Michigan.
H.R. 2646: Mr. ROONEY of Florida.
H.R. 2660: Mr. MCDERMOTT, Ms. JUDY CHU of California, Mrs. KIRKPATRICK, and Ms. VELÁZQUEZ.
H.R. 2671: Mr. CARNEY.
H.R. 2672: Mr. CARNEY.
H.R. 2673: Mr. CARNEY.
H.R. 2674: Mr. CARNEY.
H.R. 2698: Mr. DOLD.
H.R. 2715: Ms. MENG and Mr. RUSH.
H.R. 2841: Mr. FORTENBERRY, Mr. CARTWRIGHT, and Ms. KAPTUR.
H.R. 2858: Mr. GALLEGO.
H.R. 2903: Mr. HUDSON.
H.R. 3042: Mr. COURTNEY.
H.R. 3061: Mr. CICILLINE, Mr. DEFAZIO, and Mr. POCAN.
H.R. 3067: Mr. COSTA.
H.R. 3080: Mr. PETERSON and Mr. ASHFORD.
H.R. 3137: Mr. KILDEE.
H.R. 3179: Ms. KUSTER.
H.R. 3183: Mr. CRAMER and Mr. WEBSTER of Florida.
H.R. 3187: Mr. MCCLINTOCK.
H.R. 3222: Mr. SESSIONS.
H.R. 3268: Mr. ROSS, Mr. SHUSTER, Mr. MCDERMOTT, Mr. COURTNEY, and Mr. GALLEGO.
H.R. 3302: Mrs. ELLMERS of North Carolina.
H.R. 3314: Mr. DESANTIS, Mr. DESJARLAIS, Mr. STEWART, Mr. COLLINS of New York, and Mr. CRAMER.
H.R. 3316: Ms. NORTON and Ms. MENG.
H.R. 3339: Mr. RUPPERSBERGER.
H.R. 3340: Mr. GARRETT and Mr. LUETKEMEYER.
H.R. 3381: Mr. RUSH, Mr. CONYERS, Mr. BISHOP of Georgia, Ms. HAHN, and Mr. LARSON of Connecticut.
H.R. 3395: Mr. SCHIFF.
H.R. 3423: Mr. LOBIONDO and Mr. LARSEN of Washington.
H.R. 3427: Ms. KAPTUR, Mr. NADLER, Ms. EDWARDS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWN of Florida, Mr. ENGEL, and Ms. SEWELL of Alabama.
H.R. 3520: Ms. JUDY CHU of California.
H.R. 3534: Mr. LAMALFA.
H.R. 3549: Mr. RIGELL.
H.R. 3565: Mr. GARAMENDI, Mr. LOWENTHAL, Ms. SPEIER, and Mr. HONDA.
H.R. 3632: Mr. HASTINGS and Mr. QUIGLEY.
H.R. 3684: Mr. BOUSTANY.
H.R. 3686: Mr. KIND.
H.R. 3690: Mr. PASCRELL.
H.R. 3705: Mrs. WAGNER, Mr. TIPTON, Mr. ROSS, and Mr. POSEY.
H.R. 3711: Mrs. DAVIS of California.
H.R. 3739: Mr. ZINKE.
H.R. 3750: Mr. CONNOLLY, Mr. ZINKE, Mr. DEUTCH, Mr. BEYER, Mr. SIRES, Mr. RIBBLE, Mr. SWALWELL of California, Mr. SCHIFF, Mrs. DINGELL, Mr. WILSON of South Carolina, and Mr. CICILLINE.
H.R. 3760: Ms. MCCOLLUM.
H.R. 3766: Mr. SIRES and Mr. SHERMAN.
H.R. 3793: Mr. CÁRDENAS, Ms. NORTON, Mr. KILMER, Ms. WILSON of Florida, and Mr. LOWENTHAL.
H.R. 3804: Mr. SANFORD.
H.R. 3805: Mr. POCAN, Mr. SWALWELL of California, Mr. CARSON of Indiana, and Mr. VAN HOLLEN.
H.R. 3841: Mr. KILMER, Ms. LOFGREN, and Mr. CARTWRIGHT.
H.R. 3859: Mr. DUNCAN of South Carolina and Mrs. Watson Coleman.
H.R. 3865: Mr. COSTELLO of Pennsylvania and Mr. LATTA.
H.R. 3868: Mr. STIVERS, Mr. SHERMAN, Mr. SCHWEIKERT, Mr. PITTENGER, and Mr. KILDEE.
H.R. 3880: Mr. HUDSON, Mr. POSEY, Mr. WESTMORELAND, Mr. BISHOP of Michigan, Mr. MEADOWS, and Mr. WILSON of South Carolina.
H. J. Res. 47: Mr. FORTENBERRY.
H. J. Res. 55: Mr. WALKER.
H. Con. Res. 19: Mr. LARSON of Connecticut.
H. Con. Res. 65: Mrs. KIRKPATRICK, Mr. GENE GREEN of Texas, and Ms. ROYBAL-ALLARD.
H. Res. 12: Mr. RENACCI and Mr. GUTIÉRREZ.
H. Res. 32: Ms. BROWNLEY of California.
H. Res. 318: Mr. FARENTHOLD.
H. Res. 393: Mr. TED LIEU of California and Ms. CLARK of Massachusetts.
H. Res. 500: Mr. DESANTIS.
H. Res. 502: Mrs. LAWRENCE, Mrs. CAPPS, Ms. KUSTER, Ms. BORDALLO, Mr. SERRANO, Mr. NOLAN, Mr. DOGGETT, and Mr. GRIJALVA.
H. Res. 505: Mr. VAN HOLLEN, Ms. LINDA T. SÁNCHEZ of California, Ms. BASS, Mrs. DINGELL, Mr. DAVID SCOTT of Georgia, Mr. HONDA, Mrs. LAWRENCE, Mr. BISHOP of Georgia, Mr. MOULTON, Ms. NORTON, Mr. BUTTERFIELD, and Mr. VARGAS.
H. Res. 510: Mr. FRANKS of Arizona, Mr. FORBES, Mr. PITTENGER, Mr. MOONEY of West Virginia, Mrs. WAGNER, Mr. LAMALFA, Mr. LAMBORN, Mr. FLORES, Mr. HARRIS, Mr. PEARCE, Mr. WALBERG, Mr. SMITH of Missouri, Mr. ROE of Tennessee, Mr. GROTHMAN, Mr. HULTGREN, and Mr. GIBBS.
H. Res. 511: Mr. HUELSKAMP and Mr. MESSER.
H. Res. 513: Mrs. LOWEY, Mr. DEUTCH, Mr. LIPINSKI, Mrs. BUSTOS, Mr. FRANKS of Arizona, Ms. GRANGER, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. TED LIEU of California, Mr. SHERMAN, Mr. RUSH, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Ms. KUSTER, Mr. WEBER of Texas, Mr. MCGOVERN, Mrs. LAWRENCE, Ms. BONAMICI, Mr. GRAYSON, Mr. SMITH of Washington, Mr. CICILLINE, Ms. JACKSON LEE, Ms. WASSERMAN SCHULTZ, Ms. MATSUI, Ms. MENG, Mr. NADLER, Mr. DOGGETT, Mr. HASTINGS, Mr. ISRAEL, Mrs. CAPPS, Ms. MCCOLLUM, Mr. KEATING, Mr. DOLD, Mr. LEVIN, Ms. LEE, and Ms. WILSON of Florida.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1019: Mr. CULBERSON.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, WEDNESDAY, NOVEMBER 4, 2015 No. 164

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of us all, everything belongs to You. Use our lawmakers today to accomplish Your will. As they strive to be Your peacemakers, remind them that no evil can stop the unfolding of Your purposes and providence.

Lord, show them how to use this day's fleeting minutes for Your glory. Sanctify their thoughts, words, and deeds throughout this day and in all the days of their lives. Bless those who support them in their work, rewarding faithfulness with Your Divine approbation.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

CONGRATULATING KENTUCKY'S GOVERNOR-ELECT AND ADDRESSING THE WATERS OF THE UNITED STATES REGULATION

Mr. MCCONNELL. Mr. President, let me begin this morning by congratulating Kentucky's Governor-elect and the entire Republican ticket on a big win at home last night. I remember when the Republican nomination was hardly worth having in Kentucky. We used to have to beg people to run. So it says something when we see spirited competition for it, which we had in the primary back in May.

The Governor-elect and I certainly are no strangers to spirited competition, but we are also conservative Kentuckians happy to see some change coming to Frankfort.

Yesterday's election was a statement about where the people of my State want to see us headed, and it is not down the road of government control and Big Labor. They want fresh ideas, growth, innovation, opportunity, and greater control over their lives and destinies. They want a change in direction. Here is something they certainly don't want: more of this administration's top-down, Washington-knows-best approach to everything from health care to how best to use our natural resources.

Washington overreach is just what I will discuss further right now. The administration's so-called waters of the United States regulation would grant Federal bureaucrats domination over nearly every piece of land that has ever touched a pothole, ditch or puddle at some point. It would force the Americans who live there to ask Federal bureaucrats for permission to do just about anything on their own property. We are not talking about just a few acres falling under bureaucratic control here and there. According to analysis by the American Farm Bureau, we are talking about centralized Federal control extending to nearly 92 percent of Wisconsin, 95 percent of California, 98 percent of New York, 99 percent of Pennsylvania, and, if you can believe this, 100 percent of Virginia—the entire State. This isn't some clean water regulation. It is an unprecedented Federal power grab that clumsily and poorly pretends to masquerade as one.

It is obvious why waters of the United States would be a leftwinger's dream. It is equally obvious why Democratic leaders would want to pretend this rule is about clean water rather than admit what it is really about, because the true purpose and scope of this regulation is basically indefensible. So 31 States have already filed suit against it, 2 Federal courts have already ruled that it is likely illegal, and 1 court found that the rule was so flawed that it had to be the result of ''a process that is inexplicable, arbitrary, and devoid of a reasoned process.'' That is why we considered the bipartisan Federal Water Quality Protection Act yesterday.

The legislation is bipartisan, and it is simple. It says that the EPA's resources should be used to actually protect the lakes and rivers we all cherish rather than for the administration to launch arbitrary ideological attacks on middle-class homeowners and family farms. This bipartisan legislation would have required America's clean water rules to be based on the kind of scientific, collaborative process the American people expect, not some arbitrary or inflexible process that is devoid of reason such as we had with WOTUS but a balanced process that actually takes the views of those it affects into serious consideration.

I thank the Senator from Wyoming, Mr. BARRASSO, for his impressive work on the bill. A bipartisan majority of the Senate voted to support it, but most Democrats chose an ideological power grab over sensible clean water rules yesterday. To many Kentuckians, this regulation feels a lot like the latest in a sustained Obama administration regulatory assault on their families.

The Senate is going to pursue another avenue today to protect the middle class from this unfair regulatory attack. Our colleague from Iowa, Senator ERNST, has introduced a measure that would allow Congress to move forward despite the Democratic filibuster. It would overturn the regulation in its entirety. A majority of the Senate

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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voted to support this bill just yesterday. We will vote on final passage later today. And because this measure cannot be filibustered, we expect it to pass.

I ask my colleagues who voted against bipartisan commonsense clean water legislation yesterday to think differently today. Work with us to protect the middle class instead of defending ''inexplicable, arbitrary'' regulation that is probably illegal and almost certainly violates the Clean Water Act.

SUPPORTING OUR TROOPS

Mr. MCCONNELL. Now, on another matter, Mr. President, we live in a time of diverse and challenging global threats. It is a time when we see ISIL consolidating its gains in both Iraq and Syria. It is a time when we see the forces of Assad marching alongside Iranian soldiers and Hezbollah militias. It is a time when we see Russian aircraft flying above them in support, and it is a time when commanders tell us that additional resources are required to ensure the safety and preparedness of our troops. I think it is time to finally support the men and women who volunteer to protect us. The last excuse not to do so—the setting of a top-line budget number—has been cleared away. We fixed that. There is no reason that our colleagues shouldn't join us in moving forward now.

These brave men and women aren't poker chips in some Washington political game. They are the sisters, fathers, daughters, and neighbors who voluntarily and selflessly put themselves in harm's way so that we might live free. These are the men and women we will salute this month on Veterans Day. It is not enough just to support those who defend us then; we need to support them right now.

MEASURE PLACED ON THE CALENDAR—S. 2232

Mr. MCCONNELL. Finally, Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2232) to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CLEAN WATER REGULATION

Mr. REID. Mr. President, here is just a brief word on the Republican attack on the Clean Water Act. The bottom line is that the administration's clean water regulation will protect 117 million people. The cries about this legislation fly in the face of facts. As I said, 117 million Americans are being protected.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL

Mr. REID. Mr. President, yesterday the Republican leader once again filed a motion to invoke cloture on the Department of Defense appropriations bill. This is another example of the Republican leader wasting the Senate's time on repeated cloture votes that he knows will fail. Republicans have tried this piecemeal approach already, and it didn't work. We came within hours of defaulting and not extending the full faith and credit of the United States and came within days of shutting down the government.

Even though two-thirds of Republicans in the House and Senate voted to close the government and default on our debt, we were able to craft a budget agreement that funds both the middle class and the Pentagon. Now it is time to move on and pass an omnibus appropriations bill that addresses both defense and the needs of the middle class in keeping with the budget agreement that passed last week.

There is no reason we can't get an omnibus bill to fund all the government by December 11, which is the deadline. If the Republicans balk, the government will close. Again, remember, two-thirds of the Republicans in Congress already voted no. They voted to default on the debt of this country and to close the government. That should give everyone pause.

THE KOCH BROTHERS

Mr. REID. Mr. President, over the last several months, the Koch brothers have been on a public relations campaign. This Koch propaganda campaign has accelerated over the past few weeks. Charles and David Koch have been going to great lengths to convince the American people that they are not just a couple of billionaires who are trying to dismantle Social Security and who closed the Export-Import Bank, putting 165,000 Americans out of work and costing the government billions of dollars. These two men fought a zoo in Ohio, and they fought a Republican mayor of Colorado Springs, CO, as he tried to fix the city's potholes. They stopped both from happening.

The Kochs want everyone to believe they are not the ones rigging the system to benefit themselves and their wealthy friends. The Koch brothers are spending their vast wealth holding newspaper and television interviews on their propaganda campaign. In spite of all their efforts, this Koch media tour has failed to bury the one simple truth: The Koch brothers are trying to buy America.

During an interview yesterday, the scales fell away once again and revealed the Koch brothers' true intentions. In justifying his and his brother's efforts to inject hundreds of millions of dollars into conservative political campaigns, Charles Koch said: ''I expect something in return.''

The Koch brothers are getting plenty in return. So far they have bought a Republican House, a Republican Senate, a government shutdown, an ousted Speaker of the House, a shuttered Export-Import Bank, and a Republican Presidential field where nearly every candidate kowtows to these billionaires. But that is not all. The Kochs have procured a media that is intimidated by their billions—too intimidated to hold them accountable.

Consider yesterday's interview on MSNBC's ''Morning Joe'' show. This is classic. Here are some of the questions that Joe and Mika asked the Koch brothers.

Joe Scarborough asked: ''It's hard to find people in New York, liberals, we were talking about this before, liberals or conservative alike, who haven't been touched by your graciousness, whether it is towards the arts or cancer research. Do you think you got that instinct from your mom?''

Mika asked: ''Sitting here in your childhood home''—they were doing this interview in Topeka, KS—''we have the Koch brothers. Which was the good brother?'' That was another tough question.

Joe then asked: ''You guys both play rugby together, right?''

Sometimes—most of the time—they weren't even questions; they were just compliments.

At one point, here is what he said: ''You sound like my dad. That's very diplomatic. That's very good.''

Wow. Those were some really tough questions asked by the host of ''Morning Joe.'' That is tough journalism.

Those questions are so easy; they may even qualify them to moderate the next Republican Presidential debate.

It seems that some journalists are determined not to get on the wrong side of the Koch brothers and their billions. After all, we have seen how the Koch empire targets people, cities, and States that do anything that conflicts with the Koch brothers' radical agenda. When the media rolls over for these modern-day robber barons, as it is doing now, our country is in trouble.

As Charles Koch himself said, he and his brother are not spending this money for altruistic reasons; they are doing it for one reason and one reason only—for the profits of themselves and fellow billionaires who have rigged the system against the middle class. They said it themselves. They want something in return, and what they want is profit for their corporations. Their own publicist once explained why the Koch

brothers are trying to buy a new government: ''It's because we can make more profit, OK?''

That is what this is all about for Charles and David Koch: bigger profits, more money because $100 billion or more isn't enough for them.

By their own admission, the Kochs will spend and spend and spend until they get the government they want—a government that lets Koch Industries do what it wants, a government whose sole goal is to make these billionaires even richer.

Unfortunately for the United States, the Supreme Court has constructed a political system that allows them to do just that. The Citizens United case, decided in January 2010, has effectively put the U.S. Government up for sale to the highest bidder, and right now the Koch brothers are the highest bidder. Right now our country has no real restrictions on how much money a billionaire or a millionaire can spend to buy the government they want. All the power is with the wealthy, and that puts middle-class Americans at a significant disadvantage.

So we can't stand idly by while the government sits on an auction block and neither should any American sit idly by. Instead, we should be working to rid the system of the Koch brothers' dark money, but this cannot and will not happen if reporters and journalists refuse to ask Charles and David Koch questions—maybe even probing questions. Otherwise no one is holding these two oil barons accountable for their nefarious actions.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S.J. Res. 22, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 22) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of ''waters of the United States'' under the Federal Water Pollution Control Act.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided in the usual form.

The Senator from Nevada.

Mr. HELLER. Mr. President, I thank the Chair.

Mr. INHOFE. Mr. President, will the Senator yield?

Mr. HELLER. I will yield.

Mr. INHOFE. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Nevada I be recognized, unless an intervening minority Member should come in, in which case that I be recognized after that minority Member.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nevada.

Mr. HELLER. Mr. President, I rise to speak on an issue that will impact every single one of my constituents and probably all of the constituents of my colleagues in this body; namely, the Environmental Protection Agency's and the Army Corps of Engineers' new definition for ''navigable waters.''

Also known as waters of the United States, this overreaching and burdensome regulation is bad for Nevada and frankly it is bad for the Nation. My home State of Nevada is one of the driest in the Nation, and the water of course is a very precious resource. The only thing more scarce than water in the Silver State is probably private property, and the implementation of this waters of the United States rule will only do more harm for both of these.

Since coming to Congress, one of my primary goals has been to promote job-creating policies that grow Nevada's economy, and the key to promoting these types of policies is to cut redtape regulations handed down by Washington bureaucrats. Unfortunately, time and time again, this administration is bound and determined to issue overly burdensome regulations that damage the economy and stifle job creation. The latest edict from Washington bureaucrats is no different.

After years of failed legislative attempts to change the scope of regulatory authority over water, this administration has overturned both congressional intent and multiple Supreme Court decisions to further overregulate hard-working Nevadans. I have long been an outspoken advocate and a cosponsor of Senator BARRASSO's legislation, the Federal Water Quality Protection Act, that would make the EPA and the Army Corps of Engineers redo this rule and consider stakeholder input—something they completely ignored the last time around. Considering that nearly 87 percent of my home State is managed by the Federal Government—which I often refer to as our Federal landlords—it is easy to see why this rule is thought of by many back home as yet another Federal land grab.

I have heard from many of my constituents who have shared with me their staunch opposition to this rule, like Marlow from Ruby Valley and Darryl from Yerington. They write about the rule that it ''creates confusion and risk by providing the Agencies with almost unlimited authority to regulate, at their discretion, any low spot where rainwater collects, including farm ditches, ephemeral drainages, agricultural ponds and isolated wetlands found in and near farms and ranching.''

The EPA may tell us that farmers and ranchers are protected from this regulation by exemptions under the Clean Water Act. The problem with this so-called exemption is that if a landowner made any changes on their farmland or their ranch since 1977 that impacts any land or any water on their property, they do not qualify for an exemption. Think about it again. Since 1977, if a landowner made any changes on their ranch land or on their farm that impacts water or land, they don't qualify for this exemption. So under this new rule, almost everyone would be regulated.

Ranching is the backbone of Nevada's rural economy. Implementation of this rule will devastate Nevada's landowners and businesses. Like Marlow and Darryl, I believe this rule needs to be redone with significant input from local stakeholders and in a way that will not impact the ability of Nevada ranchers to provide food for Americans.

Unfortunately, the Senate was not even able to proceed to this measure and debate legislation to exert some much needed oversight over the EPA due to the left's circle-the-wagon mentality of the Obama agenda. Although I was sad to see this vote fail, today I am proud to stand in support of Senator ERNST's resolution of disapproval, which will send this regulation back to the administration and send a clear message that Congress doesn't accept overreaching regulations created by Washington bureaucrats.

The fact is, the implementation of this rule has already been halted by the Federal courts. I strongly believe that at the end of the day, the courts will decide to overturn this onerous regulation. That is why I stand here today to urge my colleagues to support this resolution of disapproval. Instead of waiting years for the courts to decide, Congress needs to take immediate action to show this administration that we will not stand for any more regulations that kill jobs and stifle economic growth.

Good stewardship of our natural resources is part of Nevada's character that makes it so unique. This is not about dirty water or a rollback of the Clean Water Act. This is about Federal regulations that severely limit land use, infringe on property rights, and diminish economic activity in Nevada and nationwide. This is about Federal regulatory overreach by an agency that is using the Clean Water Act as a means to greatly increase its authority. At a time when the American public is still waiting for answers on the Animas River spill in Colorado, I find it greatly disturbing that this Agency is using clean drinking water as an excuse to gain authority over all waters of the United States. Enough is enough with these power trips.

Should we really trust the ''Environmental Pollution Agency'' with this?

As a sportsman, I grew up understanding the importance of being a

good steward of our environment. I support efforts that balance conservation and economic growth, and that is why I urge my colleagues to stand with me against this administration's heavyhanded mandates.

Mr. President, thank you, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, yesterday 41 Senators refused to have a substantive debate on an issue that is critically important to all of our constituents—the scope of Federal authority under the Clean Water Act—and voted against a motion to proceed to Senator BARRASSO's bipartisan Federal Water Quality Protection Act, S. 1140.

Later in the day I was extremely disappointed to learn that 11 of those 41 Senators agreed that the EPA's rule is flawed, but instead of doing their job to provide legislative clarity to the EPA on the regulation of our Nation's waters, they wrote a letter. In this letter they told the EPA that they have concerns with the rule, but instead of acting now they reserve the right to do their jobs simply at a later time.

If only 3—only 3—of these 11 Senators who signed this letter would have voted to proceed to the bill, we could have worked with them to resolve their concerns and ours about the WOTUS rule disapproval.

As Senator SASSE so eloquently reminded us yesterday in his maiden speech, what are we here for if not to have a substantive debate on issues? No wonder the American people think Congress is not looking out for their interests.

Instead of doing their jobs, 11 Senators asked the EPA to change the final rule through guidance. That can't happen. EPA can't do that. That would be a violation of the Administrative Procedure Act, and I think most of us know that. These 11 Senators also asked the EPA to enforce the rule in a way that will protect people who are not regulated today. That also will not happen. The WOTUS rule is on the books. Even if the EPA doesn't bring enforcement action against someone, some activist, environmentalist community is going to file a lawsuit, and we know what the result of that would be.

In the letter I am referring to, the 11 Democrats agreed that the EPA did not provide clarity in its final WOTUS rule to protect American landowners, but instead of voting to debate a bipartisan bill that would have forced EPA to provide that clarity and to offer perfecting amendments, if they wished to do so, they wrote a letter. I know I am sounding very critical, and in a minute I will tell my colleagues why, because this happens to be the No. 1 issue of the farmers and ranchers in my rural State of Oklahoma. It is a big deal.

The EPA's entire rulemaking process, and now the lack of debate in the Senate, is an example of Washington at its worst. This is a long and sordid story that dates back to 2009. EPA wanted to be able to control isolated ponds, wetlands, and dry channels water only when it rains, but they were blocked because the Supreme Court said the Clean Water Act is based on the authority over navigable waters. I think everybody understands that the State has always had the authority, but certainly if they are navigable waters, I agree, the Federal Government should be involved.

First, the EPA backed legislation—and this is the legislation I referred to yesterday by Senator Feingold, 5 years ago, and Congressman Oberstar in the House—to take the word ''navigable'' out. If we take the word ''navigable'' out, everything is then in the authority of the Federal Government.

To support this legislation, EPA created a propaganda message that action was needed to protect drinking water. The EPA spread this propaganda, even though they know that all sources of drinking water are already regulated. That is already done. That is a done deal. It should have been done and it was done, but the American people were not fooled. The bills were so unpopular with the American people that even though Senator Feingold's party held the Senate, the White House, and the House—everything was on their side—the bill never reached the Senate floor and Congressman Oberstar did not even try to move his bill through the committee he chaired.

So the American people held them accountable. Both of them, I might add, lost their elections for reelection to office in 2010. After that election, EPA changed its strategy. Even though in 2009 the EPA said they needed legislation to expand Federal control after Congress rejected their attempt to take the word ''navigable'' out of the clean Clean Water Act, they tried to do the same thing through regulation.

This is exactly what this administration has been doing. Every time they try to pass something legislatively and they can't do it, they get a regulation. That is what they are doing. How many times did we vote on the global warming and the cap-and-trade bills, and each time it went down resoundingly in the Senate. Well, it happened over and over again. So what did they do? They said if we can't do it legislatively, we will do it through regulation.

In this new regulation, EPA tried to dodge the Supreme Court rulings by pretending that all water has a connection to navigable water. EPA also cranked up its propaganda machine. On May 19, the New York Times said: ''In a campaign that tests the limits of federal lobbying law, the agency orchestrated a drive to counter political opposition from Republicans and enlist public support in concert with liberal environmental groups and a grass-roots organization aligned with President Obama.''

That was in the New York Times. They created social media messages and asked people to send these EPA-directed messages of support back to EPA—a true echo chamber going back and forth.

After soliciting comments using its propaganda machine, the EPA claimed that 90 percent of the comments supported the rule and that every comment is meaningful to the EPA. However, the Corps of Engineers told my committee—the committee that I chair, the Environment and Public Works Committee—that only 39 percent of unique comments supported the rule, and 60 percent were opposed.

The difference is that EPA is counting each email address on a list as a separate meaningful comment. For example, EPA counts a list of nearly 70,000 email addresses sent in by Organizing for Action, President Obama's political campaign arm, as 70,000 comments. It is actually only one. Apparently the EPA considers an email address more meaningful than substantive comments submitted by States and by local governments, by farmers, ranchers, and property owners. The EPA has ignored the significant concerns raised by these groups, and they should not have.

I am sure that every Member of this body has heard from someone comparable to Tom Buchanan in my State of Oklahoma. Tom Buchanan is the president of the Oklahoma Farm Bureau. He speaks for a lot of farmers and ranchers, and we are a rural State. He says of all the problems that farmers and ranchers have in Oklahoma, these issues are not found in the farm bill, and they are not in the ag bill. They are the overregulations of the EPA. He is talking about endangered species, where you can plow your fields and where you can't. But of all the regulations of the EPA, the most onerous are the water regulations because they will allow the Federal Government to have an army of bureaucrats crawling over every farm and every ranch, not just in my State of Oklahoma but throughout America.

Two courts have already said it is illegal. It will be overturned. We don't have to stand for this. We don't have to endure years of confusion before the courts act. They are going to act, but it could take a long, long time. In the meantime they will go forward, and the overregulations will continue.

We have only one way to stop the rule right now, and that is coming up. It is through the CRA offered by Senator ERNST. A lot of people don't know what a CRA is, but it forces responsibility on Members of the Senate. There are a lot of Senators who want overregulation; the liberal ones do. So they would rather go ahead and go home, and when people complain, they can say: Hey, it wasn't us who did that; it was an unelected bureaucracy that did that. A CRA will not let them get by with that.

The President can veto it, which he will, and it will come back for a vote to override the veto, and we will know and our constituents throughout America will know just how their Senator is

voting. Senator ERNST's CRA would do that. I certainly urge a ''yes'' vote, not just for me but for all my farmers and ranchers in Oklahoma.

After vacating this rule, if any Senator wants to work with my committee on substantive issues around the scope of Federal authority under the Clean Water Act, I stand ready to work with them.

Mr. President, I ask unanimous consent that all time spent in a quorum call before the 12 noon vote be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I thank my colleague from Iowa who has led the effort this morning as we speak about the waters of the United States rule that would lead to a resolution of disapproval on this very wrong-headed rule.

I also want to acknowledge the good work of my colleague from Wyoming, Senator BARRASSO, who had the opportunity yesterday to discuss the devastating impact of the WOTUS rule, as we lovingly refer to it. It was a combined effort to address the concerns that so many of us have across the country about the waters of the United States rule that has stemmed from the EPA and Army Corps of Engineers.

This WOTUS rule that so many of us speak to is not only an overreach, it is a significant overreach that will allow for a dramatic expansion of the Federal Government's ability to regulate our land and regulate our waters and will harm the people in the State of Alaska and other States across the Nation. They have said in no uncertain terms that this rule could have as damaging an impact on our State and our State's ability to engage in any level of development—this rule would have greater impact than most anything we have seen before.

So I am here to urge my colleagues in the Senate to support the resolution of disapproval that we now have pending, which we will have an opportunity to vote on in just a little over an hour.

I have had dozens of meetings—meetings with constituents, meetings with people across the country who have raised this as an issue. We have sent letters, and we have questioned the EPA Administrator about the impact of the rule.

I had an opportunity to have a field hearing in Alaska earlier this year, joined by Senator SULLIVAN, focusing on those areas we would consider to be Federal overreach, those areas that hold our State back from any level of economic activity and development. Time after time, the concern was whether this waters of the United States—again, this expansive interpretation of the Clean Water Act literally designed by the EPA, a concern about how its negative impact on our State will be felt.

In addition to many of the legislative efforts that are out there, as chairman of the Appropriations interior subcommittee, I included a provision within the Interior appropriations bill to halt the implementation of the waters of the United States rule. I am a cosponsor of the bill we tried to advance yesterday. Unfortunately, it was blocked. I am also a cosponsor of the disapproval resolution that is being offered by our colleague from Iowa.

My position on this is pretty simple: The WOTUS rule cannot be allowed to stand. The agencies have to go back to the drawing board. I am not alone in this view. It is a highly controversial rule. It stands out among many of the rules we have seen finalized by this administration. Of the controversial ones that are out there, I would argue that if this is not in the top tier, if it is not the top, it is certainly No. 2.

It is a rule that is controversial enough that it draws bipartisan opposition as well. We have a large majority, a bipartisan majority of the House that opposes it. When we look to how this has been addressed by the States, some 31 States, including the State of Alaska, have sued to block it. A wide range of local governments and business groups have done the same. Just last month, the Sixth Circuit Court of Appeals issued a nationwide injunction to prevent the implementation of this rule.

I welcome what the courts have done so far, but I do not think Congress should sit back on this and hope we get the right legal outcome. We should not just be sitting back because that right legal outcome may come. It may come in months, it may come years from now, or it may not be the right outcome. Our opinions here in the Congress are not based solely on what the courts say. We have to look to the reach, to the impact of this rule, and then determine whether it is appropriate. Again, my answer to this is pretty simple: It is no. It is just not appropriate.

The agencies are claiming the WOTUS rule is somehow or other just a clarification. They have gone one step further and they renamed it. They are calling it the clean water rule because who out there is going to oppose clean water? Nobody opposes clean water. We all strive for cleaner water, cleaner air. This is something we all should be working to. But just changing the name on this rule does not make it so. In fact, this rule is really just muddying the waters. Excuse the pun, but that is what EPA is doing. They are creating confusion. They are certainly creating greater uncertainty. It opens the door to higher regulatory costs and delays for projects all over the country.

There have been many colleagues who have come to the floor and talked about kind of the mechanics of the WOTUS rule. Unfortunately, they are pretty complicated. When you start talking about ''categorically jurisdictional waters,'' when you try to explain the ''significant nexus'' analysis, the only people in the room who are really captivated by what you are talking about are the lawyers who might be in a position to gain some benefit because they are working these cases. But most farmers in Iowa and most miners in Alaska are not thinking about what a categorically jurisdictional water is and whether there is a significant nexus from my little plaster mining operation to a body of water. That is not what people are thinking about.

I want to use a little bit of my time this morning to speak to how, in the State of Alaska, people will be harmed by application of this rule.

To understand the reach of the rule in the State, take a look at this map of the State of Alaska. It is so big, we cannot even fit it all on one floor chart because really we need to go all of the way out to the Aleutian Chain and we do not have all of the southeastern part of the State in it, but we have the bulk here. Alaska, plain and short, is covered in water. It is just wet. According to our State government, Alaska has more than 40 percent of the Nation's surface water resources. Think about that. Think about the entire United States of America, and then appreciate that in one State, in my State, we have more than 40 percent of the Nation's entire surface water resources. So we are talking over 3 million lakes, over 12,000 rivers. We have approximately 174 million acres of wetlands. There are more wetlands in the State of Alaska than in the entire rest of the country combined.

So all you colleagues, all you folks in the 49 other States who are concerned about the impact of this rule, I don't mean to diminish your problems, but think about what this rule would do in Alaska.

We have more wetlands in the State of Alaska than in all of the rest of the country combined. Out of 283 communities in the State, 215 of these communities are located within either 2 miles of the coast or a navigable waterway. We live on the water, even in the inland part of the state, where I was raised and went to high school—the lakes, the rivers, up in the north country here, where you have just a small lake. Out in the whole southwest of Alaska—when you fly over it, you look at it, and it is dotted with small lakes and bodies of water. Plainly said, it is wet in Alaska.

Surprise—if it is not wet, it is frozen. Think about the permafrost we have there. How do you deal with the permafrost? How is that considered in this proposed rule, in this waters of the United States? If it is frozen, is it

waters of the United States? Well, you know, we don't know because the rule is unclear, but we are going to go ahead and just assume that it is going to be covered.

We have a map here where what you see is blue. The reason it is blue is because all of it is water.

This is the National Hydrography Dataset, Streams, Rivers and Bodies for the State of Alaska, September 2015.

EPA has produced maps of the waters and wetlands in each of our 50 States. Our colleagues in the House actually had to force the Agency to release these maps last year. Almost the full State of Alaska is shaded in. That is what the EPA wants to be able to regulate under this rule. So what exactly could that cover? What are we talking about?

It could be out here in Bristol Bay, where it is all about fishing. It could be a new runway project there that would be subject to regulation or a seafood processing plant out there in Bristol Bay.

Up here in the interior of Alaska, in Fairbanks, it could be a new neighborhood they want to accommodate to deal with the growing population there that would be subject to regulation.

It could be a parcel of land awarded under the Native Land Claims Settlement Act that just so happens to be in a wetlands area or have a small river present. But the fact that it was a conveyance of land under the Native Claims Settlement Act does not get you beyond regulation through the EPA.

It could be the new industrial park in Anchorage that wants to diversify, wants to help expand the economy there.

It could be an energy project up on the North Slope that the Arctic Slope Regional Corporation wants to pursue. But, again, it is either wetlands or it is clearly permafrost up there.

It could be Alaska's proposed gas line. We are hoping to run a gas line from the Slope all of the way down to tidewater in Valdez. This is a major project our State's legislature is working on. Right now they are in the midst of a special session. It is going to run across—if you want to talk about wetlands and rivers and areas that will be subject to this permitting requirement, it could be any of those. It could be many more.

That brings us to the potential impact under the WOTUS rule. I am not certain that the agencies will try to stop every project in the State—that is too much even for them—but I recognize that they could use this rule to stop any project that they want, whenever they want, and for as long as they may want. So maybe not every project will be affected, but any project could be targeted. Think about that. If you are trying to make an investment decision, if you are a business that is seeking to expand but you have that level of uncertainty because you don't know if you are going to be targeted, that is tough. It is tough to make these decisions.

We know these agencies have cast an extremely wide net with this rule. We know from Keystone XL and from our experiences in Alaska that regulatory decisions are not always fair or impartial or even logical within this administration. We know that almost everything in Alaska is either near water, it is wetlands, or it is permafrost. You add it all up, folks, and almost every project in Alaska could suddenly be subject to Federal permitting under the Clean Water Act. That, in turn, means most projects in our State will end up costing more, taking longer, or being indefinitely delayed.

I would remind friends that the cost of securing a section 404 permit can easily run $300,000 and take over 2 years to do. So you are adding cost and you are adding delay. The delay adds to further cost. Some developers just give up. They raise the white flag and they say: I am tired. I am frustrated. I just cannot run this regulatory gauntlet.

They give up. All of this would be in addition to the significant regulatory burdens Alaska is already facing.

One last example I will leave you with comes from Craig, AK, down here in the southeast. This is a small town of about 1,200 people. We have a local tribal organization that wants to construct a 16-unit affordable housing project. The Army Corps required a $46,000 downpayment to a mitigation bank prior to permitting. Again, this is for a small project in a community of 1,200 people. It is a tribal organization trying to bring in some low-income housing units, and they are going to have to spend $46,000 just to get started. Think about what they could have done if they could have put those dollars toward that project. Imagine then—a town like Craig—when you scale this up to communities such as Anchorage and Fairbanks, what do those costs mean to you? There is just too much at stake.

Again, I strongly oppose the WOTUS rule because of the uncertainty it will create, the delays it will deliver, the costs it will impose, because Alaska is the only State that has permafrost and we still have no idea whether or under what circumstances these areas will be regulated and, further, because this rule could dampen our efforts to begin new resource-extraction projects, which we depend upon for a majority of our State's budget.

Finally, I oppose the WOTUS rule because it is yet another regulatory burden for Alaskans, for people all over the country. This is on top of all of the other regulations we have seen in our State and from the Interior Department's anti-energy decisions to EPA's quest for project veto authority before, during, and after the permitting process. It gets to a point where it is just too much. It is just too much, and this is where we must come together and stand to stop it.

I thank my colleagues for their leadership and look forward to the opportunity to support the disapproval resolution that is pending before the body.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Michigan.

THE BUDGET

Ms. STABENOW. Mr. President, just a week ago the American people were able to breathe a collective sigh of relief—and I think all of us did in this Chamber as well—as Republicans and Democrats in the House and Senate finally pulled back from what would have been a financial catastrophe. We had a potential default of our country's bills. There was a potential government shutdown, but that was averted, and we passed a budget with no time to spare. It was a good thing to do on a bipartisan basis, to be able to show that we could work together, develop a bipartisan budget.

I believe it was 3 a.m. when we had the final vote on early Friday morning, but we put that in place and had some confidence at that moment that we were going to be moving forward with a comprehensive budget—a comprehensive appropriations process—that would allow us to say to the American people that we were addressing all of the needs they care about: security, growing the economy, making sure we are investing in middle-class families, strengthening our defense, and so on.

Now, not even a week later, Republican leaders are back to their old tricks again. We are quite shocked to see that rather than giving the appropriators the opportunity to put together a comprehensive appropriations process, a comprehensive budget to be able to move forward on all of the needs of the country, what we are seeing is potentially a trick to undo the bipartisan budget agreement through the backdoor. We have seen this movie before, a few years ago, passing the Department of Defense appropriations and then forcing everything else into a long-term continuing resolution.

We are not going down this road again. We are operating under the basis that we have a bipartisan agreement. A lot of folks on both sides of the aisle deserve credit for that, but we want to stick to that and a comprehensive budget moving forward—no tricks to undo the bipartisan budget agreement.

Frankly, our families deserve a budget that grows the economy and invests in our middle-class families. How many of us have said the issue is that folks don't have money in their pocket, good-paying jobs, and can't do what they need to do to be able to put food on the table, send the kids to school, pay the mortgage, be able to support their families in a way that we always have in America, and be able to grow the economy with a strong, vibrant middle class.

We also need to strengthen our national defense—our national security—broadly. If we only move forward on Department of Defense, as we know, we

are leaving out a whole range of things that are part of our national security.

I can say that as a border State in Michigan, we need to be concerned. We hear a lot of debate and discussion about border security. We need to make sure we are adequately funding border security. Cyber security, for us it means things such as the Coast Guard. When we look at other areas of security, it includes food security efforts that people care about. It includes first responders, police, and firefighters. It includes airports—a whole range of things that need to be looked at comprehensively.

We want to see the whole budget, not just the Department of Defense. We want to see the agreement on the whole budget so we know there aren't going to be any tricks. If there aren't going to be any tricks, what are folks trying to hide? Let's just develop the whole budget and then move the whole budget.

We also know people care deeply about growing the economy and jobs, and that means supporting small business. It means investing, making things, and growing things, which I talk a lot about in Michigan. That is what we do; we make things and grow things. There are efforts to support that that we need to do.

Frankly, some of that is in critical partnerships with the private sector and job training. The No. 1 thing I hear from manufacturers today—in fact, the National Association of Manufacturers tells us there are 600,000 unfilled jobs today because we don't have people with the right skills for the right job. That is something we need to address in our budget: job training, education, and college affordability.

How many times have we heard about young people or in our own families know people who have come out of college, they did everything we told them to do: Go to college, get good grades. They graduate, and then they come out with more debt than if they were trying to buy a big house. In fact, the realtors tell us now they can't qualify young couples to buy a house because of their college debt. That is part of this debate on the budget: education, access to college, job training, support for small businesses, and support for our manufacturers and our farmers, large and small.

Another critical area in our budget that we want to make sure is adequately funded is our ability to save lives through medical research, such as new treatments, new cures that we all have heard so much about that we are excited about. The whole effort now—finally, we are doing research on the brain, the least researched organ in the body. That impacts Alzheimer's; $1 out of every $5 Medicare dollars is spent on Alzheimer's disease and dementias, Parkinson's, mental illness, and addictions. That doesn't count what needs to happen with cancers. It doesn't count how close we are if we were to double down on our medical research in this country. Juvenile diabetes—we could go on and on. That is part of this budget.

We want to see what is being funded on medical research in the National Institutes of Health before we move forward on only one piece of this, as we are very late in the game to debate this. This might have been a strategy we could do last spring. Now what we need to have is a look at the entire budget: mental health, substance abuse, services for veterans. Whether it is veterans and job training, whether it is providing veterans an opportunity to have a home and live in dignity, whether it is mental health substance abuse services, that is in this budget. We need a comprehensive budget. We need to know, the American people need to know the whole budget and that there are not going to be tricks in this process.

Protecting our natural resources. For us around the Great Lakes, 20 percent of the world's freshwater, it is incredibly important for us that we know how the Great Lakes Restoration Initiative is funded; how we are supporting our clean air, clean water, and land initiatives.

We have new challenges in outrageous things such as what is happening in Flint, MI, where there is very high lead found in the water and we need pipes changed. We need to be supporting infrastructure around not only roads and bridges, which are critically important, but aging pipes that have been there for 60 years, 70 years, 80 years, 100 years that we are now seeing—and multiplied by a series of errors and incredibly bad misjudgments at the State level, at the minimum. We are seeing situations where we are going to need to support efforts on making sure we can upgrade our pipes, our water pipes, water and sewer, and so on. That is all part of this budget.

So when we look at moving forward, last week at the end of the week was a good time because it was an opportunity to come together in a bipartisan way, avert disaster, and actually come together as the American people want us to do every day. People in Michigan ask: Can't you guys just get something done? Can't you just work together?

Well, at the end of last week we actually did that. We actually came together and developed a plan, a 2-year overall budget process, and now it is implementing it through appropriations. What we as Democrats are committed to doing is implementing the agreement in total. We are not going to support going back to where we were before, where we move one budget—the budget that has the most interest among Republican colleagues, the Department of Defense—and then potentially see all of these other needs go unaddressed in a fair and responsible way in terms of what American families are asking us to do. We just want to know that we are truly working to implement a bipartisan budget that we voted on—no backdoor tricks. Unfortunately, we have seen this movie before—no backdoor tricks to undermine critical needs for jobs, the economy, quality of life, protecting our natural resources, our broad security needs as a country. Let's put that strategy aside rather than trying to have a vote on only moving forward on the Defense appropriations.

I urge that Republican leadership put that strategy aside, give the appropriators the time they need—we have good people on both sides of the aisle who can work together as appropriators—and provide us a balanced, responsible budget for the United States of America that will in fact grow the economy, invest in our middle-class families, and strengthen our national defense. I am hopeful that in the end that is what will happen.

Thank you.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I had a few minutes yesterday before the vote—the Congressional Review Act vote on this truly terrible EPA rule on water—to talk about the reasons EPA shouldn't do this, the long-term understanding of what ''navigable waters'' meant, the ability for EPA—if they wanted to change the law—to come and ask the Congress to change the law, but of course they don't want to do any of that. In fact, I had a small version of this map yesterday that shows the Farm Bureau projection—that I believe other projections agree with—of how much of our State is covered by this new jurisdiction by the Federal Government over essentially all the waters of the country. If you will notice, the only part of Missouri that would be covered under the so-called waters of the United States rule is just the part in red. Only 99.7 percent of the State would be under this new jurisdiction that the EPA would ask for. Surely, nobody believes the EPA could ever exercise this jurisdiction. And uniquely, as it relates to this rule—I think ''uniquely'' is the right word to say here—Federal agency after Federal agency opposed the EPA going forward with this rule. This is basically not just the EPA versus a few people who are concerned about it. It is the EPA versus anybody who has looked at it.

According to the Small Business Administration—by the way, another agency of the Federal Government headed by someone else who is appointed by the President—they have a number of concerns. One is that utility companies would have a hard time complying with the law in a way that allowed the power grid to continue to be utilized. Of course, anything that raises utility company power costs raises the cost to the consumer. There is no mythical way anybody else pays for that except the people who get utility bills, which almost every person in America or at least the family of almost every person in America does.

The Home Builders Association of St. Louis believes that if this rule goes

into effect, on average, the increased cost for permitting to build a home would go from a little under $30,000—right now the average cost, at least for St. Louis home builders to get all the permitting necessary, is $28,915—and would increase by 10 times. So the average permit to build a home, if this silly waters of the United States thing is allowed to happen, would go from a little under $30,000 to $271,596, and the wait time would go from a little less than 1 year to more than 2 years, just to get the permitting you need to build a home.

Now, the SBA also says the rule will increase permitting costs generally by $52 million in the country, just for permitting costs generally, and environmental mitigation costs by $113 million every year. With the addition of the power rule the EPA also has out, I think you would be hard pressed to come up with a third rule that would do anywhere as much damage as the two rules they already have out there do to the American economy.

In April of 2015, a memo from MG John Peabody to Assistant Secretary Darcy of the Corps of Engineers, states that ''in the Corps' judgment, the documents contain numerous inappropriate assumptions with no connection to the data provided . . . and logical inconsistencies.'' This is the view of the Corps of Engineers—not necessarily my favorite Federal agency—on the EPA rule.

This rule would also mean that Federal bureaucrats, assuming you could ever assemble enough of them to do the job the EPA says they like here, can decide what falls under the jurisdiction, and they would be deciding from a long way away. This kind of authority is barely able to be exercised by the local city or county. It becomes even more complicated when the State department of natural resources gets involved. It would be impossible to do and will slow down both the economy and add cost to families.

Thirty-one States, including mine—including this State here, where again only the red part is covered by the waters of the United States rule—have sued the EPA to overturn the rule, and the courts appear to be listening. The district court that covers our district and North Dakota issued an injunction for 13 States. Then in early October, the Sixth Circuit issued a nationwide stay on the rule.

So not only is the Congress concerned and involved, or a majority of the Congress—unfortunately, only 59 Senators were concerned with something that 60 Senators could have solved—but so is Federal agency after Federal agency, and the courts themselves are saying this should not be allowed to happen.

I hope we see the Congressional Review Act put this issue exactly where it deserves to be—on the President's desk. He appointed the head of the EPA. The Senate confirmed the head of the EPA. I didn't vote to confirm the head of the EPA. In fact, I held that nomination back as long as I could possibly hold the nomination back, hoping the new nominee would suggest they were going to be better than the person who had been holding the job before. This rule indicates the EPA doesn't really have the best interest of the country at heart. They do not have a reasonable way to enforce the authority they say they would like to have. So I look forward to the President having to deal directly with this issue and that the American people will pay attention, as we all do, to the job we are sent here to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

THE BUDGET

Mr. SCHUMER. Mr. President, first let me thank my colleague from Michigan for her outstanding remarks. I too want to talk about the budget. We have agreed to a bipartisan budget framework, and that has been very good. We have avoided a shutdown, and we have avoided defaulting on our debt. I am glad the brinkmanship that some on the other side of the aisle wanted to play did not prevail. That is a very good thing.

Now we have to move forward. I want to join my colleagues to ask our friends on the other side of the aisle to engage in a fair process on the omnibus that must follow. The budget, after all, is only a blueprint. Now it is up to Democrats and Republicans to fill in all the details and honor the agreements that both sides worked to pass together. Already we have some on the other side of the aisle threatening to insert policy riders that should have no business in an appropriations process, particularly a delicate one like this.

So first things first—let us be crystal clear. If folks on the other side of the aisle insist on inserting poison pill riders into the omnibus bill and the Republican leadership on either the House or Senate side goes along, they will be dragging us into another government shutdown. We are happy to debate any of these so-called poison pill riders but not to use the whole budget process as a hostage.

The only reason that our colleagues who want these riders want to use the budget process and hold, in fact, the whole rest of the American people hostage is because they know they can't win on their own. They can only do it by hostage-taking, by saying we won't fund the government or this part of the government unless we get our way on these nonrelated riders. Well, we Democrats, on both sides of the Capitol, at both ends of Pennsylvania Avenue, are totally united on preventing poison pill riders in riding along on an omnibus.

Yesterday, I was disappointed to hear Speaker RYAN, who I think is a fair man—and I have worked with him on a number of issues—say that he expects to use the power of the purse to push riders. Again, the power of the purse does not give anyone the right to jam through ideological riders that can't stand on their own merits. The power of the purse doesn't give anyone the right to hold government hostage until we repeal parts of Dodd-Frank or defund Planned Parenthood. That doesn't make any sense.

The power of the purse means, and has always meant in this grand Republic in our history, that Democrats and Republicans, House and Senate, work together to produce a fair budget that strengthens our national and economic security, free of poison pill riders.

Second, with respect to the timetable for these bills, I want to echo my friend Senator STABENOW in saying we have to see the whole funding picture up front before we move to any comprehensive funding legislation.

I understand our colleagues on the other side of the aisle want to do Defense first—sure. Then what about the rest of the budget? In 2010, we did Defense and then did a CR for the rest of the budget. And then it leaves the fight on riders undone.

Now, they say they need a vehicle. It is true. There are lots of vehicles. You don't need the Defense bill for a vehicle, No. 1, and, No. 2, you don't have to do that vehicle now. What should be happening now is the House and Senate, Democrats and Republicans, should be negotiating the whole picture, the whole omnibus. When they come to an agreement, we can then move them on the floor of the House and the Senate.

So we all agree the Nation breathed a sigh of relief when we agreed to a balanced framework that would see us lift the sequester caps for domestic as well as defense spending. We can't be goaded into passing an increase in defense spending without seeing the rest of the omnibus to make sure both sides are part of it, because 50–50 was always part of the deal. Let us see the 50–50, and let us see the details.

What we also believe has to be part of the deal is no poison pill riders, whether they be Democratic or Republican. Those should be for another day and not risk a government shutdown, which is still a very real possibility if some of the ideologues have their way and say it is my way or no way.

So for this budget agreement to work, we need to see each piece of the appropriations puzzle before we move forward on defense spending. That is not too much to ask. Democrats want a simple, fair process to fill in the blueprint we agreed on in the budget—no poison pill, no sleight of hand.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is S.J. Res. 22.

Mr. WICKER. And that deals with the waters of the United States rule; is that correct, Mr. President?

The PRESIDING OFFICER. The Senator is correct.

Mr. WICKER. If I could, I would also like to ask that Senator BLUNT's poster be placed back on the easel, because I agree with what the Senator from Missouri had to say about the so-called waters of the United States rule. It is a massive Federal overreach, a massive Federal land grab with hardly any environmental benefit, if at all. The map behind me of my neighboring State of Missouri points this out. Everything in red would be subject to regulation under the Clean Water Act. Almost every square inch of the State of Missouri and other States would be subject to this massive overreach of a statute that was never intended to do that.

So I was pleased just a few weeks ago when the U.S. Court of Appeals for the Sixth Circuit pretty much agreed with us, on a temporary basis at least. They ordered a nationwide stay of the Obama administration's wholly unnecessary waters of the United States rule. I agree with the court's action. I agree with the 31 States that have filed lawsuits against this rule. I agree with the efforts in this Chamber to overturn it.

I appreciate Senator BARRASSO's legislation entitled the Federal Water Quality Protection Act, and I certainly appreciate the efforts of the junior Senator from Iowa, Senator ERNST, and will be supporting her efforts when we vote at the top of the hour.

The waters rule is an unlawful—unlawful—attempt by the EPA and the Army Corps of Engineers to wield enormous power over our Nation's land mass, as this chart points out very dramatically. Americans are concerned—and Americans are right to be concerned—by this Federal overreach. The rule could have far-reaching effects on our lives and on our private property.

I am particularly concerned about what this rule could mean to our Nation's farmers and ranchers, especially in States such as Mississippi, where agriculture is one of the leading industries. The administration's attempt to expand the scope of waters of the United States under the Clean Water Act would lead to unprecedented regulatory authority—unprecedented regulatory authority—and everything from property rights to economic development could be affected. Small ponds, even ditches would be subject to the decisions of Washington bureaucrats.

This expansion of Federal regulation could also adversely affect conservation efforts that are working at the State level in States such as Mississippi. We have begun considerable work with farm drainage ditches to enhance conservation. The waters rule threatens to undermine this important work. So it actually puts us back a step in terms of conservation.

Moreover, this rule makes States, cities, counties, and private citizens vulnerable to confusing and expensive legal challenges.

Just get ready for the Federal Government to come in with legal challenges. Because of the regulation's lack of clarity, the Federal Government could declare jurisdiction over almost any kind of land or water, as this map of Missouri points out. Even areas that may have been streams or wetlands more than a century ago could come under the rule of this expansive regulation. The rule's exemptions do not make clear whether water in tile drains, for example, or erosion features on farmlands could fall under Federal control. At the very least, these flaws should be fixed before the rule is fully implemented, and I do appreciate the efforts of the Senator from Iowa in challenging this.

Americans should worry and Americans should be concerned that the Obama administration has pushed forward with this rule despite these legitimate concerns being voiced over and over again by 31 States. State and local governments, farmers, small business owners, and landowners are worried about how this unilateral expansion could lead to substantial compliance costs, fines, legal battles, and permitting requirements—very expensive to job-creating agriculture and agribusiness.

As they do with many of the administration's other onerous rules, Americans are asking: What is the benefit? What is the environmental benefit here? No one is arguing that our waters should not be protected, but water sources such as isolated ponds and ditches that do not threaten to pollute navigable waters should not become a regulatory burden for States, for municipalities, or for private citizens.

I am a member of the Environment and Public Works Committee. I participated in a number of hearings on the WOTUS rule this year. It is clear the rule should be revised in a way that protects the rights of farmers, ranchers, and landowners—and the American public, for that matter.

Senator ERNST is absolutely correct. Her resolution of disapproval would allow us to send this message to the EPA and the administration: Americans do not deserve this unnecessary confusion and job-killing redtape.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, in a few moments we will have an opportunity to vote on the Congressional Review Act, on the final rule under the Clean Water Act on waters of the United States. Yesterday, I thought we had a rather robust discussion and debate about this, the Barrasso bill, which would have not only prevented the final rule from going forward but also would have changed the underlying bill. Cloture was not invoked.

Now we are on the CRA—the Congressional Review Act—that would stop the rule from going forward. Yesterday on the floor of the Senate, I explained to my colleagues why I hope they will reject this motion and allow this rule to go forward. My main reason for saying that is that since 1972, Congress has had a proud record on behalf of public health, on behalf of our environment and protecting the people of this country from the dangers of dirty water. Before the Clean Water Act, we saw rivers that caught fire. In the Chesapeake Bay, we had the first marine dead zones reported. We made a commitment as a nation that we were going to do something about clean water, and Congress in a very bipartisan way passed the Clean Water Act as a commitment to the people of this country that we would take steps to protect their drinking water, to protect their public health, and to protect their environment so that the legacy would be cleaner water for future generations.

This Clean Water Act—the reason why we have this rule is because of a couple of Supreme Court decisions which basically unsettled what most people understood to be regulated waters. By a 5-to-4 decision in Rapanos, the Supreme Court's ruling sent it back to EPA to come up with additional regulatory guidance, throwing into question the well-established thoughts that waters generally that flow into our streams, into our wetlands, and into our water supply were regulated waters. So this final rule is a response to the Supreme Court decisions in order to give clarity to those who are affected by the Clean Water Act. So if we reject the rule, we are, in fact, removing clarity and we will go back to the stage where people don't know whether a particular water is regulated under the Clean Water Act.

I was listening to my colleagues on the floor give examples of where they say regulation will take place, when, in fact, in agriculture, there is basically no change in the regulatory structure. There are no new permitting requirements for agricultural activities.

If we don't go forward with the regulation, the risk factor is that approximately one-half of the stream miles in this country will not be fully protected. That is a huge risk to the public health of the people of this country.

Approximately 20 million acres of wetlands will not be regulated. Wetlands are the last frontier to filter water before it enters our water systems, our streams, our drinking water supplies. Do we really want to call into question that type of deregulation of clean water, which is critically important to public health and the drinking water supplies of Americans?

If this rule does not go forward, the source of the drinking water of approximately 117 million Americans will be compromised. One-third of the people of this country will see that we are not fully protecting their drinking water, and if we have an episode, they will be asking what did we do in order to protect their basic health. They expect us to make sure that when they turn their tap on, they get safe drinking water, and that when they bathe, they have safe water in order to bathe, and we are not doing everything we can

to do that if, in fact, we block this rule from going forward.

In reality, what we are doing is saying: No, we are not going to let science guide what goes forward; Congress is going to tell us whether the EPA can regulate our water based upon science. I don't think we want this to be a political decision; I think we want this to be a scientific decision.

As I said earlier, agriculture practices are not changed under this final rule. Many have mentioned the court challenge. Any regulation coming up by EPA is going to be subject to court challenge. We know that. And the courts have not been helpful. The 5-to-4 decision left a lot in question. Ultimately, we are going to have to rely upon a court decision. Let's get there sooner rather than later and not go back to the drawing board and delay the necessary regulations for our country.

Yesterday on the floor, I quoted from business leaders, environment leaders, small business leaders. Let me share a couple other quotes about why it is important for us to allow this rule to go forward. Let me talk about a business concern. This is a quote from Travis Campbell, president and CEO of Far Banks Enterprises, an integrated manufacturer and distributor of fly fishing products. He says:

> My company depends on people enjoying their time recreating outside, especially in or near watersheds. Clarifying which waterways are protected under Clean Water Act isn't a nice-to-have, it is a business imperative.

Allowing this rule to go forward helps America's businesses, helps our economy.

I will give two quotes on the health issue.

This is from Dr. Alan Peterson, a family physician in Lancaster County, PA. He said:

> Because it would protect the streams that are the headwaters of drinking water supplies for 1 in 3 U.S. residents, this rule is a health imperative.

Lastly, a person who used to be our health secretary in Maryland, Dr. Georges Benjamin, executive director of the American Public Health Association, stated:

> Our nation relies on clean water for basic survival—it's essential for daily activities including drinking, cooking, bathing, and recreational use. When that water is polluted, Americans are at risk of exposure to a number of harmful contaminants. We are pleased that EPA has moved forward with this strong, evidence-based rule that will be vital to protecting the public from water pollution and keeping our nation healthy.

For the sake of our public health and the sake of our environment, for the sake of our economy, and for the legacy of this Congress to protect the people of this Nation, I urge my colleagues to reject the motion that would stop the final waters of the United States rule from going into effect.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. ERNST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. ERNST. I ask unanimous consent to speak for 5 minutes on the joint resolution that is before us.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. ERNST. Mr. President, we have a choice today to stand with our farmers, ranchers, small businesses, manufacturers, and homebuilders, or stand with an overreaching Federal agency pushing an illegal rule greatly expanding its power. That is an easy choice for me. I am standing with my constituents. I am standing with Iowans.

Rolling back this harmful WOTUS rule is hugely important to my State and, I know, to many others. I especially wish to thank the junior Senator from Wyoming and the senior Senator from Oklahoma for all their hard work on this issue. I also wish to thank those from the other side of the aisle who recognize the harm this rule will have and are supporting this bipartisan effort to halt an expanded WOTUS.

I am proud to stand with them and all of my other colleagues who have decided to act today to push back against yet another power grab by the EPA. This is what the American people expect. They expect us to take the votes and debate the issues of the day, not simply put in writing how we may do our job tomorrow when it is more convenient or wait for the courts to solve a clear problem.

Every community wants to have clean water and to protect our Nation's waterways. No one is disputing that. I grew up on well water. I understand that clean water is essential, but that is not what this vote today is about.

To build on what the junior Senator from North Dakota, my colleague from across the aisle, said yesterday, to suggest that 31 States, agricultural groups, the Association of Counties, our Governors, municipalities—that we are all wrong is absolutely insulting.

Look at this grass waterway behind me. This is from Iowa. This was taken by one of my staff members as he was out on RAGBRAI, the Register's Annual Great Bicycle Ride Across Iowa. This is what we are debating. This is what the rule is about. Should Washington, DC, bureaucrats control the land in this farmer's field? The clear answer is no, they should not.

As so many of my colleagues mentioned yesterday and this morning, this confusing WOTUS rule threatens the livelihoods of rural communities and middle-class Americans. It threatens to impede small businesses and manufacturing. It impacts middle-class Americans. These people are the backbone of this country. How can these industries flourish when under this rule they will be faced with excessive permitting requirements that will delay future projects and conservation efforts? They can't.

Yesterday we saw many of our colleagues across the aisle block a commonsense bipartisan measure designed to stop the harmful impacts of this rule. They claimed this rule is grounded in science and the law. Science and the law? Really? The Army Corps' memos show that the science was blatantly ignored by the EPA in favor of politics, and two Federal courts have already called into serious question the legality of this WOTUS rule and the science behind it.

This claim is in spite of the fact that Members on the other side voted for Senator BARRASSO's legislation yesterday. This is in spite of the fact that Members of the other side also support this legislation, and this is in spite of the fact that 11 Democrats sent a letter to the EPA yesterday stating their concern over serious issues with this rule. Yet this administration continues to unilaterally enforce its harmful agenda on the American people.

We must take a stand, put our constituents first, put American jobs first, and say: No more, Mr. President. It is time to put politics and ideology aside and start listening to the commonsense voices of the American people. I urge my colleagues to support this bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I haven't talked about the popularity of the Clean Water Act, but every poll has shown that the overwhelming majority of Americans support what EPA is doing in protecting our water supply. They are for this rule. They are for a commonsense, science-based way to protect their drinking water. They are for a scientifically based, commonsense way to make sure that their rivers are clean. Whether it is because of their concern for the environment and their children and grandchildren's health or whether it is their concern about our economy, recognizing that clean water is necessary for agriculture and for our activities—recreational activities along our waterways which are critical to our economy—for all of those reasons they support the Clean Water Act.

I urge my colleagues to look at the rule. It doesn't regulate new activities in agriculture. It doesn't require anything different than has been historically the role of the Clean Water Act in protecting our waters. It deals with waters that are affecting our water supply. It doesn't deal with isolated ponds. It doesn't deal with ditches. They are not regulated under this law any differently than they were in the past.

I urge my colleagues to look at what is in this regulation, not the claims that have been made. The EPA listened to the different interest groups. There were over 400 meetings with stakeholders across the country to provide information, hear concerns, and answer their questions. EPA officials visited

farms in Arizona, Colorado, my home State of Maryland, Mississippi, Missouri, New York, Pennsylvania, Texas, and Vermont.

The 207-day public comment period on the proposed rule resulted in more than 1 million comments. All of this public input helped to shape the final clean water rule. The act does not require any new permitting from the agricultural community. There is an exemption under the existing Clean Water Act, which is preserved by this final rule. Normal farming, silviculture, and ranching practices—those activities that include plowing, seeding, cultivating, minor drainage, and harvesting for production of food, fiber, and forest products—are exempt. They are not covered under this final Clean Water Act. Soil and water conservation practices and dry land are exempt. Agricultural storm water discharges are exempt. Return flows from irrigated agriculture, construction, and maintenance of farm or stock ponds or irrigation ditches on dry land are not covered under the rule. Maintenance of draining ditches is not covered under the rule. Construction or maintenance of farm, forest, and temporary mining roads are not covered.

When my colleagues come in and say that this ditch is being regulated under the Clean Water Act, it is not the case. Only those flows of water that directly impact our streams, impact our wetlands—those you want to make sure we cover because they affect our drinking water supply for one out of every three Americans, because they affect our public health for those of us who swim in our streams and our lakes, and because they affect those of us who enjoy the recreation of clean water. That is why we have small business owners. That is why we have the businesses that depend upon clean water. That is why we have a lot of people around the country saying: Look, it is in our economic interest to make sure this rule goes forward.

The bottom line is, the stakeholders need clarity. This rule will allow that process to go forward so that we can get clarity in the implementation of the Clean Water Act, which was jeopardized not by Congress and not by EPA but by the Supreme Court's decisions. It is our responsibility to make sure that clarity exists.

If Congress blocks this clean water rule from going forward, we are adding to the uncertainty that is in no one's interest, whether it is a person who depends upon safe drinking water or the safe environment or a farmer who wants to know what is regulated and what is not. All of that very much depends upon clarity moving forward.

EPA listened to all the stakeholders, and it is important to allow this rule to go forward. I urge my colleagues to reject this effort to stop the final act from going forward. Let our legacy to our children and grandchildren be safe, clean water for drinking and recreational purposes for our economy. Since 1972, we have had a proud history of allowing and building upon safe and clean water. I urge my colleagues to reject this effort to stop this rule from going forward.

I yield the floor.

I yield back my time.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER (Mr. SASSE). The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 297 Leg.]

YEAS—53

Alexander	Ernst	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Cassidy	Heller	Rounds
Coats	Hoeven	Sasse
Cochran	Inhofe	Scott
Corker	Isakson	Sessions
Cornyn	Johnson	Shelby
Cotton	Kirk	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	McCain	Wicker
Enzi	McConnell	

NAYS—44

Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Markey	Stabenow
Carper	McCaskill	Tester
Casey	Menendez	Udall
Collins	Merkley	Warner
Coons	Mikulski	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Franken	Nelson	

NOT VOTING—3

Graham	Rubio	Vitter

The joint resolution (S.J. Res. 22) was passed, as follows:

S.J. RES. 22

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to ''Clean Water Rule: Definition of 'Waters of the United States' '' (80 Fed. Reg. 37054; June 29, 2015), and such rule shall have no force or effect.

The PRESIDING OFFICER. The majority leader.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 2685.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 118, H.R. 2685, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

The PRESIDING OFFICER. The Senator from Texas.

UNANIMOUS CONSENT REQUEST—S. 2193

Mr. CRUZ. Mr. President, our country does many things well, but our government in Washington often fails the people whom it exists to protect. One of the best examples is the Obama administration's failure to enforce our Nation's immigration laws, despite the American people's continued demands that the Federal Government follow its duty to do so.

It is worth noting that just yesterday the voters of San Francisco voted to replace the sheriff who had defended the sanctuary city policy. That is a striking statement of where the American people are on this issue.

Unfortunately, the Democrats in the Nation's Capitol refuse to listen to the American people. Just 2 weeks ago, Senate Democrats blocked a bill that would have imposed a 5-year minimum mandatory sentence on criminal aliens who have illegally reentered the country. This issue is too important to give up and this fight is far from over. That is why I intend to call up Kate's Law for its urgent and immediate passage in the Senate. This bill is named in honor of Kate Steinle, who died tragically in the arms of her father on a San Francisco pier after being fatally shot by an illegal alien who had been deported from the United States multiple times.

When it comes to stopping sanctuary cities and protecting our safety, we need governing, we need leadership, and we need elected officials in Washington to listen to the people we are elected to represent. We need to actually fix the problem. Enough hot air, let's demonstrate we can come together and solve this problem. This ought to be a clear choice. With whom do you stand? Do you stand with violent criminal illegal aliens or do you stand with American citizens? Do you stand with our sons and daughters and those at risk of violent crime? I hope my colleagues in the Senate will come together and stand in bipartisan support that we stand with the American people.

I will note that Bill O'Reilly has been tremendous, calling over and over again on leaders of this body simply to pass Kate's Law. This is not a partisan

issue, at least it should not be. We should stand with American citizens. I am reminded of the heartbreaking words of Kate Steinle as she lay in her father's arms. She simply said: ''Dad, help me.'' Well, we have an opportunity to determine if we are willing to listen to her dying words, if we are willing to stand with her. I would note, by the way, this should not be a red State-blue State issue.

For the people of San Francisco to throw out of office the sheriff responsible for the policies that led directly to Kate Steinle's murder indicates that even in the bluest of blue cities and the bluest of blue States, the American people are tired of politicians standing with violent criminal illegal aliens. This should bring us together. We should stand together and say we will protect the American citizens.

I will tell you, the Obama administration's record on this is shocking. In 2013, the Obama administration released from detention roughly 36,000 convicted criminal aliens who were awaiting the outcomes of deportation proceedings. These criminal aliens were responsible for 193 homicide convictions. They were responsible for 426 sexual assault convictions. They were responsible for 303 kidnapping convictions. They were responsible for 1,075 aggravated assault convictions. They were responsible for 16,070 drunk driving convictions.

On top of that, the Obama administration had another 68,000 illegal immigrants with criminal convictions whom the Federal Government encountered but never even bothered to take into custody for deportation. That is over 104,000 criminal illegal aliens the Obama administration is responsible for releasing to the public.

I ask my friends on the Democratic side of the aisle how you look in the eyes of a father or mother who has lost their loved one because of a violent criminal illegal alien, who has murdered, who has raped, who has assaulted, who has kidnapped, who has brutalized your child? We are responsible for the consequences of our actions. Kate's Law is commonsense legislation. It is legislation that says: If a criminal illegal alien who is an aggravated felon—who is the worst of the worst—illegally reenters this country, comes in a second time, that criminal illegal alien will face a mandatory minimum of 5 years in prison.

If Kate's Law had been passed 5 years ago, Kate Steinle would still be alive. That means every Democrat who stands up and blocks Kate's Law needs to be prepared to explain why standing with violent criminal illegal aliens is more important than protecting American citizens.

I am proud to have joining me as cosponsors of Kate's Law Senator GRASSLEY, Senator VITTER, Senator RUBIO, and Senator PERDUE. They are all coming together in what should be bipartisan leadership to protect the American citizens.

Mr. President, accordingly, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2193; further, that the bill be read a third time and passed and the motion to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. CRUZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

A unanimous consent request is pending before the body. Is there objection?

Mr. REID. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, the new mandatory minimum sentences this bill would create would have a crippling financial effect—that is an understatement—with no evidence that they would actually deter future violations of law. This legislation would require about 20,000 new prison beds—20,000—12 new prisons and cost over $3 billion.

This is yet another attack on the immigrant. The reason this bill did not go through the Judiciary Committee is because Republican Senators objected to it going through the committee. In the House, Speaker RYAN said he cannot trust the President to do immigration reform. In the Senate, after passing a bipartisan bill in 2013, all we have seen from Republican leaders and their caucus are bills to attack immigrants and to tear families apart. So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CRUZ. Mr. President, you know I will tell you it is sad that the Democratic leader chooses to stand with violent criminal illegal aliens instead of American citizens, but even sadder is that he impugns legal immigrants. When the Democratic leader suggests that incarcerating aggravated felons, murderers, and rapists who illegally enter the country is somehow a slight to immigrants—I am the son of an immigrant who came legally from Cuba. There is no one in this Chamber who will stand and fight harder for legal immigrants than I will. For the Democratic leader to cynically suggest that somehow immigrants should be lumped into the same bucket as murderers and rapists, it demonstrates the cynicism of the modern Democratic Party, it demonstrates just how out of touch the modern Democratic Party is.

You know who does not agree with the Democratic leader? The voters of San Francisco—I would venture to say almost all of whom consider themselves Democrats. Yet they just voted out the sheriff for saying basically the same thing the Democratic leader did, for saying that the Democratic Party stands with violent felon illegal immigrants instead of the American citizens.

Let's listen to what the Democratic leader just said: Gosh, it would cost too much to incarcerate aggravated felons who illegally reenter the country. If it costs too much to lock up murderers, rapists, kidnappers, then you know what, we need to spend the money it needs to lock up every single murderer we can. I am sorry the Democratic Party does not want to spend the money to lock up murderers, and instead apparently it is cheaper to lose our sons and daughters. I think we have the resources to lock up murderers. There should be no confusion where the parties stand.

The Democratic leader suggested that locking up aggravated felons is somehow disrespectful to immigrants. With all respect, as the son of an immigrant, I believe immigrants who come here legally, who are not criminals, should be treated markedly different from murderers and rapists. Yet the Democratic Party chooses to stand with the murderers, rapists, and violent criminals. That is unfortunate, indeed.

UNANIMOUS CONSENT REQUEST—S. RES. 224

Mr. President, I would now like to turn to a second matter. This is a matter I have raised a number of times on the Senate floor and intend to continue raising. It is the matter of the human rights abuses in the People's Republic of China. I would like to talk about some specific examples, starting with the one-child policy. I want to talk to you about Feng Jianmei.

PRC officials forced Feng Jianmei, who was 7 months pregnant with her second daughter, to undergo an abortion. While her husband Deng Jiyuan was at work, five family planning officials abducted Ms. Feng on June 2, 2012. When she could not pay the fine of 40,000 RMB, they restrained her and forcibly aborted her daughter.

As her husband recounted, ''At the hospital, they held her down. They covered her head with a pillowcase. She could not do anything because they were restraining her.'' The so-called ''medics'' forced her to ''sign'' an abortion consent form by inking her thumb and pressing it against the paper. Then they proceeded to inject toxins into the brain of her unborn daughter.

After the injection, Jianmei suffered excruciating contractions until 3 a.m. on June 4. Then, having received no anesthesia, she gave birth to her deceased child. Jianmei said:

> I could feel the baby jumping around inside me all the time, but then she went still. It was much more painful than my first childbirth. The baby was lifeless. She was all purple and blue.

In an act of heartlessness that is difficult to comprehend, the so-called doctors who performed this abortion left the lifeless body of Feng's 7-month-old

baby on her bed beside her, leaving a bereaved mother with nothing but the sight of what could have been. Feng Jianmei's father-in-law rushed to the hospital, but family planning officials prevented him from seeing Jianmei until after the abortion.

After seeing her mother for the first time after her forced abortion, Feng's elder daughter innocently inquired, ''What happened to your tummy? Where did the baby go?''

Reggie Littlejohn, a world-renowned human rights activist who broke this story in the United States, stated in the wake of this tragic story: ''This is an outrage. No legitimate government would commit or tolerate such an act.''

China is among the leading nations in suicide rates. It is the only nation where more women commit suicide than men. A large contributing factor to this morose distinction is the totalitarian one-child policy.

Another example is the crackdown on lawyers. When the United States engages with China in any sort of bilateral negotiation or agreement, we have to understand that the rule of law is not a reality in the PRC. Despite laws duly passed by the National People's Congress, and a supposed Constitution, the reality since 1949 remains unchanged: China has a ''rule of the party''—the Communist Party—and it is ready to punish anyone who challenges its violation of the law within the legal system.

The latest example is human rights lawyer Pu Zhiquiang. In early May 2014, Pu attended a small, private seminar where the participants discussed the Tiananmen Square Massacre and the party's violent suppression of students. Pu was a student leader during the infamous 1989 protests, so marking the auspicious occasion was no doubt of personal importance to him.

The following month Pu was arrested and charged with ''illegally obtaining personal information of citizens'' and ''picking quarrels and provoking trouble.'' As the year progressed, PRC authorities added additional charges ''inciting splittism'' and ''inciting ethnic hatred.'' In May 2015, a Beijing court officially indicted Pu on two of these charges, and he remains in custody today.

While legal officials cited Pu's criticisms of the PRC's treatment of the Uighur ethnic minorities, his real offenses were taking cases and representing victims of forced eviction and shining a light on China's labor camps. His defendants included a who's who of China's prominent political dissidents, including Liu Xiaobo—a brave, selfless action that undoubtedly painted a target on Pu's back.

Prior to his arrest, the PRC praised Pu as a paragon of social justice. The state-run China Newsweek magazine named Mr. Pu the most influential person in promoting the rule of law in 2013. This is a microcosm of life in authoritarian China: Compliance with the party and compliance with the law are often at odds, and the party always wins.

In the past year, Beijing has detained and jailed hundreds of activists standing for the rule of law, ideals the party ostensibly espouses. Words are one thing; public embarrassment of public officials is quite another. Xi Jinping and his cohorts cannot abide the erosion of their credibility or anything that would threaten their legitimacy.

A third example is Pastor Zhang Shaojie. Under President Xi, the atheist Communist Party of China has targeted Christianity for special oppression. Using a campaign in Zhejiang—a province which President Xi ran earlier in his career—to forcibly remove crosses from churches, in some cases, the PRC has gone on to bulldoze entire churches and to arrest pastors and congregants for standing boldly for their faith.

Persecution of Christianity is not confined to Zhejiang. One such victim of this crackdown is Pastor Zhang Shaojie. On July 24, 2014, the Nanle County People's Court, ignoring domestic and international due process provisions, sentenced Pastor Zhang Shaojie to 12 years in prison on a count of ''fraud'' and ''gathering a crowd to disrupt public order.''

Again, arrest charges in China do not reflect reality. Prior to his arrest, Pastor Zhang was defending the rights of his church in regard to the land they had purchased. Pastor Zhang and his parishioners traveled to Beijing three times in November 2013 seeking resolution of the land dispute. Maybe this is what the People's Court meant by ''fraud.'' According to his congregants, the minister also had a ministry of helping victims of legal injustice seek restitution. Perhaps this is what the Communist Party referred to in its charge of ''disrupting public order.''

The following month, the Puyang Municipality Intermediate People's Court rejected Zhang's appeal.

In October, the Nanle County Court threatened to auction off Zhang's house to pay for a court-ordered fine, ordering Zhang's family to leave the house by October 26. In response, Zhang's mother physically stood between the Chinese officials and her home, holding gasoline in one hand and a lighter in the other.

It is a sad reflection of China's supposed progress on human rights when a citizen feels her only recourse against a dictatorial regime is the threat of self-immolation.

His sister, having been detained, along with several of Pastor Zhang's parishioners, suffered in one of China's most infamous black prisons for 1½ years. Her words, penned in this letter, require no substitute:

> I am Zhang Cuijian, one of the Nanle County Christian Church members detained in 2013. When my brother was kidnapped, I went with other church members to the public security bureau for information about his detention. Unexpectedly, I became the target of arrest, as well as more than a dozen other church members. We became prisoners who were unprepared and innocent. The prison was hell on earth; no other words can describe it.
>
> In prison, I was very grateful. I truly felt that God was with me, even though I suffered punishment in prison. I had a thankful heart; I had joy from God. I deeply know my true and living God. While my body suffered, my heart was free. God let me learn different life lessons. I know that the more persecution I endure, the greater the blessing.

In America, we should stand with victims of oppression. In America, we should stand with Christians being persecuted by the brutal Communist totalitarian dictatorship. In America, we should stand for women's rights. Women being forced to have abortions are horrific acts of brutality. They are inhumane. They are contrary not only to American values but to human rights across the globe, and they are carried out as a matter of policy in the People's Republic of China.

When it comes to Chinese oppression, when it comes to Communist oppression, this is not an abstract or academic matter for me. My family has been tortured at the hands of Communists in Cuba. My father was imprisoned and tortured by Batista in Cuba, and my aunt was imprisoned and tortured by Castro's Communist goons in Cuba.

Communist oppression is real, and we have a powerful example of what America could do. When the Soviet Union was in power, this body renamed the street in front of the Soviet Embassy ''Sakharov Plaza.'' Renaming that was done by President Reagan.

Iowa Senator CHUCK GRASSLEY introduced the resolution in this body. Every day the Soviet officials had to write on the address of their Embassy: ''Sakharov Plaza,'' honoring the imprisoned dissident. This resolution is to use the same power of moral clarity, the same power of shaming, and the same power of speaking the truth to shine a light on the oppression in China.

When Senator GRASSLEY took the lead with Sakharov Plaza, that helped shame the Soviet Union into changing their conduct. We should use the same moral authority with respect to the People's Republic of China.

My resolution is cosponsored by Senator RUBIO, Senator TOOMEY, and Senator SASSE. It was on a path to being unanimously approved in this body. Every Republican had signed off on it and initially every Democrat had as well. Yet moments before it was about to pass the Senate, unfortunately the senior Senator from California decided to come to the floor and object.

After objecting, after blocking its passage, Senator FEINSTEIN put out a press release, a press release with which I agree emphatically. Senator FEINSTEIN observed, powerfully, that ''we urgently request the Chinese government to allow Liu Xia to seek medical treatment abroad and release Liu Xiabo, the world's only jailed Nobel Peace Prize laureate.''

Senator FEINSTEIN was exactly right. If anything should bring us together in

bipartisan agreement, it should be against the Communist Party's wrongful imprisonment and oppression of a Nobel Peace laureate. Yet sadly, each time I have attempted to follow the successful pattern of Sakharov Plaza, to rename the street in front of the Chinese Embassy ''Liu Xiabo Plaza,'' the senior Senator from California stood and objected.

For the life of me I cannot understand why any Member of this body would choose to stand with Communist Party oppressors against dissidents, against human rights, against women's rights, against the rights of those standing to speak for freedom.

Yes, we have to negotiate with the Chinese. Yes, we have to talk to them. Just like in the Cold War, we negotiated at Reykjavik with Gorbachev, but we did it from moral authority and truth.

If we are afraid of even embarrassing the Communist Party, if their conduct doesn't embarrass them, we shouldn't shy away from speaking the truth.

Mr. President, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 224. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER (Mr. PERDUE). Is there objection?

The Senator from California.

Mrs. FEINSTEIN. Mr. President, reserving the right to object, and this is the first time I will have objected, I would like—since my name was raised and a communication of mine was read—to explain the circumstances.

Yes, this is a press release that I wrote, and, yes, I do feel that the wife of this man should be released from house arrest and the man himself, the Nobel laureate, should be released by the Chinese. He has certainly served time for a substantial period, and more than that I do not believe it works to the benefit of China, the family, human rights or the progress of the country.

Unlike the Senator from Texas, I have had a long experience with the Chinese, going back more than 30 years. I know what can convince them to move toward a goal and I know what will become a real stumbling block and a point of opposition. To change the name of a street on which the Chinese Embassy in the United States rests will only be a greater stumbling block to achieving this goal, so I will object to that.

Since my name was also raised—or San Francisco's name was raised in his prior discussion, I would respectfully ask if I could make a few remarks about Kate Steinle and the situation the Senator from Texas has raised.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Thank you very much.

Respectfully, Senator, I do not believe that you know much about San Francisco. I am a lifelong San Franciscan. I served the city as a mayor for 9 years, president of the board of supervisors for 7 years, and another 8 years as supervisor. I believe I know something about the city of my birth, my education.

The reason for the defeat of the sheriff is multifaceted. It doesn't just begin with one thing, and I want you to know that.

With respect to the situation we spoke about, which is whether a local sheriff should in fact respond to a Federal Government request, if that request is for a detainer, if that request is for a communication, I believe very strongly that sheriff should do that. And was that part of the campaign of the sheriff that is going to be the sheriff-elect? I can't say with any specificity, but I can say that is my belief.

I think going overboard and punishing everybody makes very little sense. So I am hopeful the Department of Homeland Security, through its efforts with the PEP program, will be able to secure cooperation from the city and county of San Francisco. If it does not, then that is another story. But I believe the Department is making headway in discussions with other communities that are in fact sanctuary cities.

Since we are on the subject, in 1985, as mayor of the city, I was the first person to be sought out by the archbishop who asked for a brief reprieve or a reprieve for nuns from El Salvador, and that was the first piece of legislation. It was small and it was restricted to a country that was in a civil war with some terrible things happening. Since that time, the sanctuary concept has expanded considerably and, to some extent, I think far beyond what it should be. But I think the way to do this is through hearings and discussion among the Members and not with over-the-top rhetoric that moves visceral impulses—because we have to live, Senator, by the public policy we espouse, and we have to know that it is wise and prudent. I deeply believe that.

So I just wanted to clarify the record, and I thank the Senator for allowing me to do so.

I yield the floor, and I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, I would note with regard to Kate's Law, the senior Senator from California just said that going overboard and punishing everyone is not something we should do. This is reprising the same thing the Democratic leader said—that somehow incarcerating aggravated felons is punishing everybody.

As the son of an immigrant, I take offense at the suggestion from the Democratic Party that every immigrant is somehow an aggravated felon. Incarcerating murderers and rapists is not punishing everybody.

Mrs. FEINSTEIN. Will the Senator allow a question?

Mr. CRUZ. I will be happy to.

Mrs. FEINSTEIN. I don't believe there is anything I said that related to our letting aggravated murderers and others who would reap great harm to our society. I do not favor that, and I would like the record to clearly reflect that.

Mr. CRUZ. I would note the senior Senator from California characterized Kate's Law—and this is a verbatim quote—as ''going overboard and punishing everyone.'' Kate's Law is targeted only to aggravated felons. It is only murderers and rapists and other violent criminals—those who have committed aggravated felonies and have reentered the country illegally.

So what the Democratic Party has attempted to do, what the Democratic leader has attempted to do is to suggest that incarcerating illegal immigrants who are murderers and rapists is somehow maligning or impugning immigrants. To the contrary, it is targeting violent criminals. I do not believe the millions of legal immigrants who followed the rules, like my father did, are in any way swept into a law that is targeting aggravated felons.

Aggravated felons is a discreet category. Had Kate's Law passed 5 years ago, Kate Steinle would still be alive today.

Mrs. FEINSTEIN. If I might respond—I think the Senator from Texas is a member of the Judiciary Committee, I am a member of the Judiciary Committee, and the chairman of the Judiciary Committee is on the floor. It is something we ought to take a look at. I haven't reviewed the case law, I don't think ever on this specific point, and I would like an opportunity to do so. But what I really bristle to is the extreme rhetoric and throwing everybody into the same basket as somebody who is a violent criminal, because the immigrants whom I know in California by and large are not violent criminals. They are family people. They sustain the No. 1 agricultural industry in America. They work hard, they pay their taxes, they get in line for legalization, they are good citizens, and our economy is better for them, not worse. So I don't want to impugn everybody, which your broad, sweeping language, candidly, does.

Mr. CRUZ. With respect, I would note that the only overreaching rhetoric that has been heard on this floor has come from the Democratic leader, suggesting somehow that targeting violent criminals is targeting all immigrants.

It is worth noting that Kate's Law addresses only aggravated felons. So the suggestion of the senior Senator from California that we should not assume aggravated felons are criminals is a statement that, on its face, makes no sense. They are by definition. It is only the violent criminals—the aggravated felons—that this is targeted to.

I will say I am encouraged, though, that the senior Senator from California

stated she would become interested in the Judiciary Committee taking this up. As she noted, the chairman of the Judiciary Committee is here. There is unanimous support on the Republican side of the aisle, and it would truly be significant if the senior Senator from California were willing to join with Republicans in targeting actual aggravated felons, which is what Kate's Law does.

The Senator from California says she doesn't want overheated rhetoric. The rhetoric has been coming from the Democratic side. What I have been saying is we should not be releasing violent criminal illegal aliens. That is a commonsense proposition that the overwhelming majority of the American people agree with.

Let me also make a point about the objection of the senior Senator from California—for the third time now—to my effort to stand up to Communist Chinese oppression. It is one thing for Members of this body to give a good speech, to send a letter, and to put out a press release. That is something Washington does a lot. It is something we are really quite good at. It is another thing to act. We should be acting. We should be leading.

Now, the Senator suggested this would be counterproductive. I would note that the senior Senator from California did not address the fact that when we followed the exact same strategy in the 1980s under President Reagan, with Senator GRASSLEY's leadership, in renaming the street in front of the Soviet Embassy Sakharov Plaza, it had a very positive effect. Now, the Soviets didn't like it. They howled mightily. But the heat and light and attention of world scrutiny helped to change their behavior and helped to win the Cold War.

To Liu Xiaobo, to Liu Xia, to all the human rights dissidents imprisoned in China, to the mothers who faced forcible abortions, I hope my words penetrate the dark prisons in which they are sitting. I hope my words serve as light and encouragement to each of them.

I think back to when my father and my aunt were in Cuban prisons, and how much I would have liked leadership in the United States to shine a light of hope and encouragement.

Some months ago, I met with Natan Sharansky in Jerusalem. He described how, in the dark of a Soviet gulag, President Ronald Reagan's words shined into that darkness and prisoners passed from cell to cell: Did you hear what President Reagan said? Evil empire, ash heap of history, tear down this wall. Those words, that moral clarity, that American leadership for human rights changed the world. If we stand together, we can do the same thing with regard to China.

As much as I hope my words penetrate those cells, I pray the words and actions of the senior Senator from California do not penetrate those cells. It saddens me that, in the face of unspeakable brutality and evil, the Democratic Senator chooses to align herself with the Communist Party dictators rather than a Nobel Peace laureate.

My hope is that time and reflection will cause the senior Senator from California to recognize that we should be united in a bipartisan manner in support of human rights. It is my hope that we stand together.

I intend to continue to submit this resolution over and over and over, because every time the light is shined on the grotesque evil of what China is doing, we are vindicating our values of who we are as Americans. It is my hope, as I speak out to the Chinese American citizens in California, in Texas, and across this country, that their voices are heard by their senior Senator from California, that the Chinese American citizens ask their senior Senator: Why is it that you are standing and defending the Communist Government in China for its human rights abuses?

That is not a question I would want to answer to my constituents whom I am charged with representing. It is my hope that all of us say: Listen, we can disagree on all sorts of political matters. We can disagree on marginal tax rates. But when it comes to forced abortions, when it comes to imprisoning and mistreating and torturing political prisoners, including a Nobel Peace laureate, the United States Senate stands in unanimity, 100 to nothing. That is my hope—that, in time, truth will prevail.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Before I speak on the main subject for which I came to the floor, I want to compliment the Senator from Texas for both of the points he has made about the renaming of the street by the Chinese Embassy and also for what he has done in regard to Kate's Law today.

Maybe something good has come out of his presentation on the floor, even though he wasn't able to proceed, in that if there is a real desire in the Judiciary Committee, which I chair, for a bipartisan approach to getting mandatory sentences for criminal felons who have been deported and have come back into the country, so that we don't have 121 people murdered in the future, as we have had in the last 5 years—because of mandatory sentencing under Kate's Law—I would be glad to pursue that.

The reason this bill didn't go through the committee in the first place is that we felt there would be every effort to stop it from getting out of committee.

INSPECTOR GENERAL EMPOWERMENT ACT

Before I go to my full prepared remarks, I want to tell my colleagues why we ought to pass the legislation I am going to refer to. I will summarize by saying that the 1978 inspectors general law says that an inspector general is entitled to all material he needs in each agency to do the work that he has to do.

Well, about 3 months ago, probably at the behest of the FBI, a single person in the Justice Department, in the Office of Legal Counsel, issued an opinion that said ''all'' doesn't mean all. So that means an inspector general has to go through a lot of redtape in order to get the material he or she needs to do their job.

I don't need to tell my colleagues how important inspectors general are. They are important because they help us do our congressional job of oversight to ferret out waste, fraud, and mismanagement.

Americans have a right to know when our government is misbehaving or wasting taxpayer dollars. To ensure accountability and transparency in government, Congress created inspectors general, sometimes referred to as IGs, as their eyes and ears within the executive branch.

Those independent watchdogs are uniquely positioned to help Congress and the public fight waste, fraud, and abuse in government. But IGs cannot do their job without timely and without independent access to all agency records. That is why ''all'' means all.

Agencies cannot be trusted to restrict the flow of potentially embarrassing documents to the IGs who oversee them. Watchdogs need access to those documents to do their job. They are mandated by law to keep Congress fully informed about waste, fraud, and abuse problems. If the agencies can keep IGs in the dark, then this Congress will be kept in the dark as well. If given the chance, agencies will almost always choose to hide their problems from scrutiny. In other words, the public's business that ought to be public sometimes does not become public and there is less accountability.

Getting back to the 1978 act, when Congress passed this act, we very explicitly said that IGs should have access to all agency records. Let's get back to what happened. What happened was one person in the Department of Justice said that ''all'' doesn't mean all. Does it make sense to have one person out of the entire bureaucracies of the United States make a ruling that when Congress says ''all'' means all, all of a sudden ''all'' doesn't mean all?

If inspectors general deem a document necessary to do their job, then the agency should turn it over immediately. Inspectors General are designed to be very independent but also to be a part of the agency. They are inside so they can see when the laws aren't being followed, when the money isn't being spent according to law. They are there to help agency leadership identify and correct waste, fraud, and abuse. I would hope every agency head appreciates a person whose main responsibility is to help see that the law is followed.

Fights between an agency and its own inspector general over access to documents are a waste of time and a

waste of taxpayers' money. The law of 1978 requires that inspectors general have access to all agency records precisely to avoid these costly and time-consuming disputes. However, since 2010 a handful of agencies—led by the FBI, the law enforcement agency of the U.S. Government—has refused to comply with this legal obligation that ''all'' means all. Agencies started to withhold documents and argued that IGs are not entitled to ''all records'' even though that is exactly what the law says.

In other words, it is pretty simple: ''All'' means all. But on this island of DC, surrounded by reality, maybe common sense doesn't prevail and maybe ''all'' doesn't mean all. The law was written to ensure that agencies cannot pick and choose when to cooperate with the IGs and when to withhold records. Unfortunately, that is precisely what several agencies started doing after this single person in the Department of Justice made this ruling.

The Justice Department claimed that the inspector general could not access certain records until Department leadership gave them permission. Requiring prior approval from any agency leadership for access to agency information undermines the inspector general's responsibilities and, most often, his independence. That is bad enough, but it also causes wasteful delays. It effectively thwarts inspector general oversight. This is exactly the very opposite of the way the law is supposed to work.

After this access problem came to light, Congress took action. The 2015 Department of Justice Appropriations Act declares that ''no funds provided in this Act shall be used to deny the Inspector General of the Department of Justice timely access to all records, documents, and other materials. . . . ''

The new law also directed the inspector general to report to Congress within 5 days whenever there was failure to comply with that statutory requirement. In other words, these people take an oath to uphold the laws. The law says ''all'' means all, and somehow they can ignore it.

In February alone, the Justice Department's inspector general notified Congress on three separate occasions in which the FBI failed to provide access to records requested for oversight investigations. IGs for the Environmental Protection Agency, for the Department of Commerce, and for the Peace Corps have experienced similar stonewalling. Then, in July, the Justice Department's Office of Legal Counsel released a memo arguing that we did not really mean all records when we put those words in the law of the United States of America. That is the one person I am talking about. The Office of Legal Counsel released this memo that says ''all'' doesn't mean all even though the law says ''all'' means all. So let me be clear. We meant what we said in the IG Act: All records really means, pretty simply, all records.

In early August, I chaired a hearing on this opinion and the devastating impact it is already having on the work of inspectors general across government. Multiple witnesses described how the opinion handcuffed inspectors general and brought their important work to a standstill. In fact, the Internal Revenue Service had already cited the misguided Office of Legal Counsel opinion in order to justify stiff-arming its IG access to all records.

Even the Justice Department's witness disagreed—get this—we had a Justice Department official testify, and that witness disagreed with the results of the Office of Legal Counsel opinion and directly told us that we ought to support and initiate legislative action to solve the problem.

Now, here is a high-level person, above the Office of Legal Counsel, saying we ought to pass a bill to correct what that agency says had had an impact that wasn't surmised would happen—that we ought to pass a bill when they could just withdraw the Office of Legal Counsel ruling.

As a result of that testimony, following that hearing, 11 of my colleagues and I sent a bipartisan, bicameral letter to the Department of Justice and to the inspector general community of the various agencies. In that letter, the chair and ranking member of the committees of jurisdiction in both the House and Senate asked for specific legislative language to reaffirm that ''all'' means all for all inspectors general, every one of them.

It took the Justice Department 3 months to respond to that letter for the very same thing they had testified about—that we ought to pass a law to do it, and we asked them for their help. The language it provided, however, fails to address the negative effects the Office of Legal Counsel's opinion is already having on the ability of IGs to access their agency records all across government. However, the inspector general community throughout our bureaucracy responded to our letter within 2 weeks and provided language that is actually responsive to our request.

In September, a bipartisan group of Senators and I incorporated the core of this language in S. 579, called the Inspector General Empowerment Act of 2015—a bill we shouldn't even have to pass, if Justice would just withdraw this Office of Legal Counsel opinion that causes this problem in the first place.

Specifically, I was joined in this effort on this bill by 11 other Members, including Senators MCCASKILL, CARPER, BALDWIN, and MIKULSKI. Senator MIKULSKI serves as vice chair of both the Appropriations Committee and the subcommittee which has jurisdiction over appropriations for the Justice Department. She and Chairman SHELBY were the authors of the appropriations rider I recently spoke about.

In July, 1 week after the Office of Legal Counsel issued its awful legal opinion, Senators MIKULSKI and SHELBY sent a letter to the Justice Department correcting the Office of Legal Counsel's misreading of that appropriations rider, also known as section 218. I will read a few excerpts from that letter from the two highest people on the Appropriations Committee, who are in a pretty good position to tell these bureaucrats where to go and particularly where to go when the law is very clear and the Appropriations Committee is very clear that some opinion by the Office of Legal Counsel isn't even justified. Quote:

> We write to inform you that Office of Legal Counsel's interpretation of Section 218—and the subsequent conclusion of our Committee's intention—is wrong.
>
> Surmising that multiple interpretations of section 218 created uncertainty, Office of Legal Counsel chose one of the three rationales that most suited its own decision to withhold information from the Office of Inspector General.
>
> This conclusion was not consistent with the Committee's intention at all. Rather, the Committee had only one goal in drafting section 218. . . . to improve OIG access to Department documents and information.
>
> We expect the Department and all of its agencies to fully comply with section 218, and to provide the Office of Inspector General with full and immediate access to all records, documents, and other material in accordance with section 6(a) of the Inspector General Act. End Quote.

So there we have the appropriators saying what our bill is trying to do, saying that it is wrong for one person in the Office of Legal Counsel to overturn 30 years of law that we have had in the inspector general's office.

I applaud my colleagues on this very important Appropriations Committee for standing up for inspectors general, and I applaud my colleagues who have joined me in sponsoring the legislation entitled The Inspector General Empowerment Act of 2015.

I especially thank Senators JOHNSON and MCCASKILL for working with me on this legislation from the very beginning and for their work in getting this bill through their committee. Apparently the plain language of the IG Act and the 2015 appropriations rider was somehow not clear enough for the Office of Legal Counsel to understand, so the Inspector General Empowerment Act includes further clarification that Congress intended IGs to access all agency records—and these next words are very important—notwithstanding any other provision of law unless other laws specifically state that the IGs are not to receive such access.

This ''notwithstanding any other provision of law'' language is what the OLC opinion indicates would be necessary before OLC would believe that Congress really means to ensure access to all records. But overturning an OLC opinion that was roundly criticized by both sides of the aisle is just the beginning. In addition, the legislation also bolsters IG independence by preventing agency heads from placing them on arbitrary and indefinite administrative leave.

The bill would also promote greater transparency by requiring IGs to post

more of their reports online. The bill would increase accountability by equipping IGs with tools to require testimony from contractors, grantees, and other employees who have retired from the Government, often while under investigation by an IG.

In September, we attempted to pass this bill via unanimous consent. It has been more than a month since the leadership asked whether any Senator would object. Not one Senator has put a statement in the RECORD or come to the floor to object publicly. At the August Judiciary Committee hearing, there was a clear consensus that Congress needed to act legislatively and needed to overturn the Office of Legal Counsel opinion as quickly as possible.

Senator CORNYN noted that the Office of Legal Counsel opinion is ''ignoring the mandate of Congress'' and undermining the oversight authority that Congress has under the Constitution.

Senator LEAHY said that this access problem is ''blocking what was once a free flow of information'' and called for a permanent legislative solution.

Senator TILLIS stated that the need to fix this access problem was ''a blinding flash of the obvious'' and that ''we all seem to be in violent agreement that we need to correct this.''

However, some have raised concerns about guaranteeing IG access to certain national security information. I wish to explain why this bill should not be held up for that reason.

First, this bill is cosponsored by a bipartisan group of Senators, including Democrats and Republicans on the Intelligence Committee. These people know something about the protection of national security. These Senators are Senator MIKULSKI, Senator LANKFORD, and Senator COLLINS.

Second, the inspector general of the intelligence community supports the bill.

Third, the bill would not affect intelligence agencies under title 50, such as the CIA and the Office of the Director of National Intelligence.

Fourth, the Executive orders restricting and controlling classified information are issued under the President's constitutional authority. This bill does not in any way attempt to limit that constitutional authority at all. It clarifies that no law can prevent an IG from obtaining documents from the agency it oversees unless the statute explicitly states that IG access should be restricted. No one thinks this statute could supersede the President's constitutional authority.

Fifth, there is already a provision in the law that allows the Secretary of Defense and the Director of National Intelligence to halt an inspector general review to protect vital national security interests.

Nothing in the bill would change that already existing carve-out for the intelligence community. All IGs should have the same level of access to records that their agencies have, and all IGs are subject to the same restrictions and penalties for disclosure of classified information. No inspector general's office has ever violated those restrictions. They have an unblemished record of protecting national security information.

If there are changes that can be made to the bill so that it can pass by unanimous consent, I am ready to consider those. However, any changes or carve-outs for the intelligence community should not impact other IGs. The point of the bill is to overturn the Office of Legal Counsel opinion and restore complete, timely, and independent access for IGs to agency records. That goal must be preserved.

We all lose when inspectors general are delayed or prevented in doing their work. Every day that goes by without a fix is another day that watchdogs across the Government can be stonewalled. I urge my colleagues to support this bill.

Finally, I ask unanimous consent to have printed in the RECORD letters that I mentioned earlier and a letter I received from the inspector general community today showing why the Department of Justice's proposed language is insufficient to solve the problem at hand. I also ask unanimous consent to have printed in the RECORD an op-ed that was recently published in the Washington Post in support of this bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, July 30, 2015.

Hon. SALLY QUILLIAN YATES,
Deputy Attorney General, U.S. Department of Justice, Washington, DC.

DEAR DEPUTY ATTORNEY GENERAL YATES: This letter is in response to the Department's Office of Legal Counsel's (OLC) memorandum dated July 20, 2015, that provides a legal opinion on the Office of Inspector General's (OIG) access to sensitive information throughout the Department. On July 23, 2015, the Department provided our Committee with a copy of the memo, which includes an opinion on Division B, section 218 of the Consolidated and Further Continuing Appropriations Act of 2015 (Public Law 113–235). We write to inform you that OLC's interpretation of section 218—and the subsequent conclusion of our Committee's intention—is wrong.

Specifically, OLC erroneously speculated that section 218 held one of three possible interpretations, one of which included the supposed conclusion that Congress intended to permit the Department to withhold information from the OIG. Surmising that multiple interpretations of section 218 created uncertainty, OLC chose one of the three rationales that most suited its own decision to continue to withhold information from the OIG.

This conclusion was not consistent with the Committee's intentions at all. Rather, the Committee had only one goal in drafting section 218; therefore, there is only one correct conclusion. As the explanatory statement accompanying the fiscal year 2015 bill simply states, ''The Inspector General shall report to the Committees on Appropriations not later than 180 days after the date of enactment of this Act on the impact of section 218 of this Act, which is designed to improve OIG access to Department documents and information,''

Throughout this ongoing dispute between the Department and the OIG about access to information, the Senate Committee on Appropriations has shown clear concerns about the frequency and abundance of material that the Department has chosen to withhold from the OIG. In addition to the fiscal year 2015 language, the Committee raised concerns with the Attorney General during a fiscal year 2016 hearing, which occurred well in advance of OLC issuing its recent opinion. For OLC to determine our intentions as anything other than supporting the OIG's legal right to gain full access to timely and complete information is disconcerting.

While the issue of the Inspector General's access to information covers many areas of the law, and OLC's memo is equally expansive on the matter, we feel compelled to set the record straight regarding section 218. We were not contacted by OLC to solicit our feedback in the formulation of their memo to you. However, should you or anyone in the Department request further information about this section or any other areas of our fiscal year 2015 spending bill, we, and our staff will be glad to assist.

Regardless, we expect the Department and all of its agencies to fully comply with section 218, and to provide the OIG with full and immediate access to all records, documents and other material in accordance with section 6(a) of the Inspector General Act.

Sincerely,

RICHARD C. SHELBY,
Chairman, Senate Subcommittee on Commerce, Justice, Science and Related Agencies.

BARBARA A. MIKULSKI,
Vice Chairwoman, Senate Subcommittee on Commerce, Justice, Science and Related Agencies.

CONGRESS OF THE UNITED STATES,
Washington, DC, August 13, 2015.

Hon. SALLY QUILLIAN YATES,
Deputy Attorney General, U.S. Department of Justice, Washington, DC.

Hon. MICHAEL HOROWITZ,
Inspector General, U.S. Department of Justice, Washington, DC.

DEAR DEPUTY ATTORNEY GENERAL YATES AND INSPECTOR GENERAL HOROWITZ: Last month, the Department of Justice (DOJ) made public an Office of Legal Counsel (OLC) opinion that allows DOJ to withhold access to certain records sought by DOJ's Office of Inspector General. Under the OLC opinion, and subsequent guidance provided by the Office of the Deputy Attorney General, the DOJ Inspector General must now obtain agency permission to access certain documents related to grand jury testimony, Title III wiretaps, and the Fair Credit Reporting Act. This opinion undermines the longstanding presumption that Inspectors General have access to any and all information that they deem necessary for effective oversight, as specified in the Inspector General Act of 1978.

On August 5, 2015, the Senate Judiciary Committee convened a hearing entitled, '' 'All' Means 'All': The Justice Department's Failure to Comply with Its Legal Obligation to Ensure Inspector General Access to All Records Needed for Independent Oversight.'' This hearing brought to light serious questions about the effect the OLC opinion would have on the independence and effectiveness of the Office of Inspector General, not just at the Department of Justice but also across

the federal government. The opinion has already been relied on by other federal agencies to prevent their Inspectors General complete and timely access to documents necessary to conduct audits and investigations. It is apparent that Congress needs to act to ensure that Inspectors General have complete and immediate access to all records in the possession of their respective agencies, unless a statute restricting access to documents expressly states that the provision applies to Inspectors General.

We understand the Office of the Deputy Attorney General and the Office of Inspector General have been working collaboratively on legislative language to address this issue. Accordingly, by no later than August 28, 2015, please provide your recommended legislative language that would ensure Inspectors General have access to all Department records, notwithstanding limitations contained in any of the potentially hundreds of provisions of law or any common-law privilege that might otherwise arguably limit such disclosure.

Thank you for your immediate attention to this matter.

Sincerely,

Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary; Patrick Leahy, Ranking Member, U.S. Senate Committee on the Judiciary; Ron Johnson, Chairman, U.S. Senate Committee on Homeland Security and Governmental Affairs; Tom Carper, Ranking Member, U.S. Senate Committee on Homeland Security and Governmental Affairs; Bob Goodlatte, Chairman, U.S. House of Representatives, Committee on the Judiciary; John Conyers, Ranking Member, U.S. House of Representatives, Committee on the Judiciary; Jason Chaffetz, Chairman, U.S. House of Representatives, Committee on Oversight and Government Reform; Elijah Cummings, Ranking Member, U.S. House of Representatives, Committee on Oversight and Government Reform; John Cornyn, U.S. Senate Committee on the Judiciary; Claire McCaskill, U.S. Senate Committee on Homeland Security and Governmental Affairs; Thom Tillis, U.S. Senate Committee on the Judiciary; Amy Klobuchar, U.S. Senate Committee on the Judiciary.

COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY,

November 4, 2015.

Hon. CHARLES E. GRASSLEY,
Chairman, U.S. Senate Committee on the Judiciary.
Hon. RON JOHNSON,
Chairman, U.S. Senate Committee on Homeland Security and Governmental Affairs.
Hon. BOB GOODLATTE,
Chairman, U.S. House of Representatives Committee on the Judiciary.
Hon. JASON CHAFFETZ,
Chairman, U.S. House of Representatives Committee on Oversight and Government Reform.
Hon. JOHN CORNYN,
U.S. Senate Committee on the Judiciary.
Hon. THOM TILLIS,
U.S. Senate Committee on the Judiciary.
Hon. PATRICK LEAHY,
Ranking Member, U.S. Senate Committee on the Judiciary.
Hon. TOM CARPER,
Ranking Member, U.S. Senate Committee on Homeland Security and Governmental Affairs.
Hon. JOHN CONYERS,
Ranking Member, U.S. House of Representatives Committee on the Judiciary.
Hon. ELIJAH CUMMINGS,
Ranking Member, U.S. House of Representatives Committee on Oversight and Government Reform.
Hon. CLAIRE MCCASKILL,
U.S. Senate Committee on Homeland Security and Governmental Affairs.
Hon. AMY KLOBUCHAR,
U.S. Senate Committee on the Judiciary.

DEAR CHAIRMEN, RANKING MEMBERS, AND DISTINGUISHED SENATORS: On behalf of the Council of the Inspectors General on Integrity and Efficiency (CIGIE), we write to express our strong opposition to the proposal of the Department of Justice (DOJ), sent to you in a letter dated November 3, 2015. The DOJ proposal would amend Section 8E of the Inspector General Act of 1978 (5 U.S.C. App.) in response to the July 2015 opinion of the DOJ's Office of Legal Counsel (OLC). While the DOJ agrees with CIGIE that legislation is needed and should be passed by Congress to reverse the impact of the OLC opinion, the DOJ's proposal only applies to the DOJ Inspector General's access to records and fails to ensure that all other federal Inspectors General have the same independent access at their respective agencies. As such, DOJ's proposed legislative language is not acceptable. Effective and independent oversight is the mission of all Inspectors General and, therefore, all Inspectors General require timely and independent access to agency information necessary to carry out that responsibility. This is a bedrock principle of the IG Act.

Three months ago, an OLC opinion determined that the words ''all records'' in Section 6(a) of the IG Act does not mean ''all records'' and therefore the IG Act did not give the DOJ IG independent access to all records in the DOJ's possession that are necessary to perform its oversight work. Section 6(a) is the cornerstone of the IG Act for federal Inspectors General, and an opinion that undercuts its broad access provision places our collective ability to have timely and independent access to agency records and information at risk. Yet the DOJ's proposal would restore access authority to only one Office of Inspector General. The DOJ's proposal is clearly inadequate and would leave in place a threat to the independence of all other Offices of Inspector General. Indeed, we have seen the impact of this threat at both the Peace Corps and the Commerce Department. Inspectors General at both agencies have faced claims by their agency's counsel that they are not entitled to access all records in their agency's possession.

We urge you and your colleagues to reject the DOJ's proposal and proceed with the bipartisan substitute amendment to Senate bill S. 579, the ''Inspector General Empowerment Act of 2015.'' This bill amends Section 6 of the IG Act and makes clear that no law or provision restricting access to information applies to any applicable IG unless Congress expressly so states, and that such IG access extends to ''all records'' available to the agency. This is the only way to effectively restore to all IGs the independence that has been the lynchpin to our success for more than 35 years, and ensure that we can continue to conduct effective oversight on behalf of the American people.

Sincerely,

MICHAEL E. HOROWITZ,
Inspector General, U.S. Department of Justice; Chair, CIGIE.
KATHY A. BULLER,
Inspector General, The Peace Corps; Chair, CIGIE Legislation Committee.

[From the Washington Post, Oct. 31, 2015]

LET INSPECTORS GENERAL DO THEIR JOBS

(By Editorial Board)

A few years ago, the Justice Department's Office of Inspector General was looking into how the department had handled people detained as material witnesses after the 9/11 attacks. There had been complaints that civil liberties were abused in some detentions. The inspector general made a request for documents from the FBI that included grand jury testimony by those detained—and hit a roadblock. In 2010, the FBI refused to turn over the documents.

The Justice Department inspector general, Michael E. Horowitz, has pointed to this refusal in appealing to Congress to rectify a larger problem: Not only at Justice but in other agencies, inspectors general are coming up against hurdles to their independent investigations created by the very departments they are supposed to keep an eye on. Inspectors general, created by a 1976 law to be independent watchdogs over government, are finding it increasingly difficult to carry out their vital mission.

The original law said that inspectors general must have access to ''all records, reports, audits, reviews, documents, papers, recommendations or other material available'' for their work. But the ''all'' in this language has been thrown into doubt by the FBI's actions and by a subsequent opinion by the department's Office of Legal Counsel, which suggested that, in certain conditions, the inspector general should not get ''all.'' According to Mr. Horowitz, every time he was blocked, he turned to the attorney general or deputy attorney general and asked for an override, which they provided. But the result has been significant delays in the investigations, including the probe into the use of the material witness statute and another looking at Operation Fast and Furious, the failed weapons sting operation. Mr. Horowitz has pointed out that such objections to the release of documents for investigations were not raised for many years after the creation of his office, only beginning in 2010.

The inspector general should not have to pester the attorney general for access that is already provided in the law. As Mr. Horowitz argued recently in these pages, such footdragging turns statutory language on its head, so that the words ''all records'' do not mean all. This is ''fundamentally inconsistent with the independence that is necessary for effective and credible oversight,''

he wrote. In August 2014, 47 inspectors general told Congress that such roadblocks to independent probes had cropped up elsewhere, too, including at the Environmental Protection Agency and the Peace Corps. They said withholding documents ''risks leaving the agencies insulated from scrutiny and unacceptably vulnerable to mismanagement and misconduct.''

Legislation pending in both chambers of Congress would clarify this by making clear that all records mean all records—and that inspectors general remain an important mechanism of accountability and oversight. The legislation has bipartisan support and deserves to be passed.

Mr. GRASSLEY. Mr. President, I see Senator JOHNSON on the floor. I thank him very much for his leadership in this area.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise today to urge passage of S. 579, the Inspector General Empowerment Act of 2015. I want to thank my friend, Senator GRASSLEY, who just spoke, for his work on this bill and for his longstanding commitment and dedicated promotion of accountability and transparency for efficient government.

It is an unfortunate reality that the executive branch today is more powerful, more expansive, and less transparent than it has ever been. Senator GRASSLEY and I are privileged to be the chairmen of committees that have expansive authorities and responsibilities to oversee the executive branch and all of its programs. But we need help in our efforts.

We are fortunate that Congress in 1978 created crucial partners for us: independent watchdogs embedded in each agency, accountable only to Congress and the American people. They are the American people's eyes and ears, and they are our best partner in rooting out waste, fraud, and abuse of taxpayers' hard-earned money.

This bill is about increasing agency accountability and transparency. It exempts IGs from time-consuming and independence-threatening requirements such as the computer matching and paperwork reduction statutes.

The bill also allows inspectors general, in limited circumstances, to compel the testimony of former agency employees or Federal contractors whose information they need to pursue cases of fraud and abuse. But the bill also ensures that inspectors general are made accountable to the public and to Congress.

Earlier this year, I issued a subpoena to the inspector general of the Department of Veterans Affairs, in part to produce the over 100 reports the inspector general had completed but not made public. One report that the VA inspector general kept from the public was a report on dangerous overprescription of opiates at the Tomah VA Medical Center in Tomah, WI—practices that resulted in the death of at least one Wisconsin veteran.

This is how important transparency is. The daughter of the Wisconsin veteran who died from substandard care at that facility told me that had she known about the practices at the facility—in other words, if the report had been made public—she never would have taken her father there, and he could be alive today.

I want that to sink in. The bottom line is transparency and accountability in government can literally be a matter of life and death. The VA inspector general is not the only offender. In 2013 the Department of Interior Office of Inspector General closed over 400 investigations but released only 3 of those to the public. This should not happen. The public deserves transparency and accountability.

An amendment that I offered in committee, and that was accepted unanimously, requires inspectors general to publicly post their work on their Web site within 3 days of providing the final report to the agency. So this bill will ensure that findings of misconduct, waste, and fraud are exposed to the public and to Congress.

The public also deserves an inspector general that is independent. One of the greatest threats to inspector general independence is when the President fails to nominate a permanent inspector general and leaves an acting IG in place who wants the permanent job.

In 2014, when I was ranking member of the Financial and Contracting Oversight Subcommittee, we found that the former acting inspector general for the Department of Homeland Security, Charles Edwards, was compromised because of his desire to curry favor with the administration to get the permanent inspector general's job. We found he changed and delayed findings of reports to protect senior officials. That type of behavior is completely unacceptable.

In addition to using our powers as Members of Congress to call upon the President to nominate permanent inspectors general, as I have done for the Veterans Administration, this bill requires an independent study of problems with acting IGs and recommends ways to address them.

We know that many agencies are not in the business of transparency, and they often try to restrict their inspector general's work. As Senator GRASSLEY already explained so well, we shouldn't have to clarify what was meant when we said IGs shall have access to all their agency's documents so they can do their work. Nonetheless, this bill will make it even clearer that ''all'' really does mean all.

This is a bipartisan cause. We want all inspectors general to be able to do their jobs well. That is why the substitute amendment I filed in September has 11 bipartisan cosponsors, spanning members of my committee, the Committee on Homeland Security and Governmental Affairs, the Judiciary Committee, the Armed Services Committee, and the Intelligence Committee.

I want to thank my ranking member, Senator TOM CARPER, for his support and the other cosponsors for their assistance in getting this bill passed. I urge my colleagues to support S. 579 and to support the work our IG partners do every day to try to keep our Nation safe, our agencies accountable, and our taxpayer dollars spent efficiently.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

JUSTICE FOR FORMER AMERICAN HOSTAGES IN IRAN ACT

Mr. ISAKSON. Mr. President, 36 years ago today, 53 Americans in the American Embassy in Tehran were captured, beaten, held hostage, and tortured. As I speak on the floor of the Senate today, in the streets of downtown Tehran, Iranian people are marching in the streets, burning American flags, yelling ''Death to America'' and celebrating the capture of our citizens 36 years ago today.

From the moment of their release in January of 1981, they have been promised justice and compensation. But 5 administrations and 17 Congresses have gone by, and there has been no justice and there has been no compensation. Unfortunately, cynicism has set in, and the remaining 38 of the 53 who were originally held hostage wonder when their justice is coming.

Many have suffered. One, a former CIA agent, committed suicide. Another attempted suicide but failed. Many families have been torn apart and asunder by PTSD and other ramifications of torture and capture. It is a sad chapter in the history of our country, at the hands of a tyrannical dictatorship in the nation of Iran. But don't just take my word for it. Let me read you the words of two American citizens who were taken hostage in Tehran 36 years ago.

William Daugherty from Savannah, GA, said the following:

I'd like to remind the Congress that the corporations and banks have long ago received their ''compensation'' in whatever form it took. I'd like to remind the Congress that the Carter administration intended for us to be compensated. They told us we would be, and today it's pretty much now or never for many of us.

Their lives are passing.

Or there is Joe Hall of Lenox, GA, who told me:

35 years after our release from confinement, one fourth of our group has passed away. Those who remain are aging, ailing, and frustrated. Yet, they remain loyal, law-abiding, and patriotic; the very characteristics they took to Iran when they [were captured and] stepped forward to serve their country, so many years ago.

Still there is no justice, still no reward.

Four years ago I introduced the Iranian Hostage Compensation Act. To this date, it has been supported by every Member of the Senate and House who I have talked to. Minority Leader HARRY REID came to me the other day seeking help to make sure we get this bill passed. BEN CARDIN, the ranking member of the Foreign Relations Committee, BOB CORKER, the chairman of

the Foreign Relations Committee, the members of the House Foreign Relations Committee—everyone I have talked to has said: Yes, it is right for us to do this. The money is in the bank in the control of the Department of Justice—Iranian money that is available to pay the hostages the compensation they deserve. The amounts have been negotiated—$6,750 per hostage per day of captivity. They are the only American hostages ever held captured and never been recompensed for the tragedy they suffered.

It is time for America to act now. While the Iranians celebrate in the streets and burn our flag and say ''Death to America,'' we should say to the survivors of the Iranian hostage crisis: We are going to see to it that you get the compensation and the justice you deserve.

In the weeks ahead before this year ends, I will talk to each Member of the Senate and to each Member of the House to find a way—whatever way we can and whatever vehicle is necessary—to get that authorization out of Congress and in the hands of the Justice Department and the administration so each and every one of those survivors can be compensated because they deserve it. They risked their lives for the United States of America just as every State Department employee and every Ambassador does around the world. We never need the State Department employees or our Ambassadors to think that one day America might look the other way if they are ever captured or taken hostage.

I appeal to my colleagues in the Senate and the House and to all the people in the United States of America to come together and see to it that those remaining hostages who have survived so far are compensated for the horror and the terror they endured. While the Iranians celebrate the capture and the horror they administered to their victims in the streets, let's do what we as Congressmen and as Members of the Senate came here to do and see to it that they get their justice and compensation and that we do what America always does: stand by our citizens who went in harm's way to protect our country.

I yield back the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIGIOUS LIBERTY IN AMERICA

Mr. HATCH. Mr. President, freedom of religion is one of the foundational principles of the Republic. It has long been central to our identity as a self-governing people, and as a cause, it has long enjoyed wide support across partisan and ideological divides for generations.

Recently, however, religious liberty has come under coordinated assault by those who would hastily discard one of our founding principles to serve a narrow, transient political agenda. Given how defending religious liberty has been one of the animating goals in my public life, I feel compelled to speak out against this disturbing development.

Since the end of the August recess, I have endeavored to speak regularly on the subject to remind my colleagues of the need to maintain our historic allegiance to this most American of values. So far, I have addressed the first principles of why we should protect religious freedom, as well as the legal and political history of the concept. Today I aim to address the role of religion in public life and its critical contribution to the preservation of freedom of religion.

One particular phrase has come to describe the relationship between faith and public life in this country: ''the separation of church and state.'' Over the years, the invocation of this phrase has become so rote that many consider it axiomatic. While the phrase itself is quite terse, it has become shorthand for a particular narrative about the history and status of religion in American life. This narrative traces back to Thomas Jefferson, who famously advocated for a ''wall of separation between church and state.'' Under Jefferson's leadership, Virginia passed the Law for the Establishment of Religious Freedom in 1786, which aimed to end state prescription and proscription of any particular religion.

Anchored in a cursory reference to Jefferson, generations of Americans have been brought up to believe that our founding principles demand that faith be driven out of government and kept contained to a private sphere with no role in public life and no semblance of interaction with the state. This narrative is flatly inconsistent with our history and our Constitution. Put plainly, the Jeffersonian model of strict separation was a novel experiment that constituted a decidedly minority viewpoint in the early Republic.

The dominant model at the time was embodied by the 1780 Massachusetts Constitution drafted by John Adams, which largely protected religious liberty but also instituted a ''mild and equitable establishment of religion'' that enshrined Christian piety and virtue. In Adams' view, as articulated by one scholar, ''Every polity must establish by law some form of public religion, some image and ideal of itself, some common values and beliefs to undergird and support the plurality of protected private religions. The notion that a state could remain neutral and purged of any public religion was [neither realistic nor desirable].''

Jefferson himself acknowledged that the statute he crafted in Virginia was a ''novel experiment'' that broke with practice not only in the American colonies but also in the United Kingdom and the wider Western world.

At the outbreak of the Revolution, the Anglican Church enjoyed official established status in Georgia, Maryland, North Carolina, South Carolina, Virginia, as well as in the New York City area. In Connecticut, Massachusetts, and New Hampshire, the system of municipal government empowered individual towns to choose a church to establish, resulting in Congregationalism as the established religion throughout most of New England. Only Delaware, New Jersey, Pennsylvania, and Rhode Island lacked officially established churches. Nevertheless, even these states without officially established churches—including famous havens for religious dissenters, such as Pennsylvania and Rhode Island—maintained significant ties between church and state, including in matters of church finances, religious tests for public office, and blasphemy laws.

While the Revolution brought about a number of new state constitutions that officially disestablished a number of state churches—particularly the Church of England after the severing of political ties to the Crown—the advent of the new Republic did not bring about universal disestablishment or adherence to the model of strict separation.

At the time of the adoption of the First Amendment in 1791, about half—depending on one's exact definition—of the 14 States then admitted to the Union had an established church or allowed municipal governments to establish such a church. Moreover, every single state sponsored or supported one or more churches at the time. In the words of Notre Dame's Gerard Bradley, even ''Rhode Island, that polar star of religious liberty, maintained'' what would today constitute ''an establishment at the time it ratified the First Amendment.''

My purpose for bringing up this history is not to advocate for states to return to the era of officially established churches or to advocate for any of the restrictive measures of that time. Indeed, as a Mormon, I am keenly aware both of how the machinery of government can be used to oppress religious minorities and of how a faith's flourishing comes not from the State's sanction or promotion but rather from the dedication and devotion of individuals, families, and communities. Instead, my purpose is to note the plain incongruity between the conventional wisdom of rigid separation between church and state supposedly commanded since the founding by the establishment clause and the actual history of religion in public life in the days of the early Republic.

This apparent disconnect can be resolved by an examination of the text of the Constitution. The text of the First Amendment reads: ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.'' Note the exact formulation: ''Congress shall make no law regarding the establishment of religion. . . .'' On its face, the language

affects only one actor—Congress—not States and local governments and not individual citizens. Put another way, at the time of its adoption, the First Amendment neither created an individual right to be free from religion nor limited the power of the States to establish religion; it simply created a structural limit on Federal power.

The debates over the ratification of the Bill of Rights confirmed this interpretation. As a general matter, the Establishment Clause received relatively little attention in the ratification debates in the state legislatures and among the public. Indeed, it hardly seems tenable that States would have adopted a measure at odds with their ongoing practices with little discussion or dispute. What attention the establishment clause did receive made it clear that its language was intended to prevent the Federal Government from choosing a preferred religious secret—a logical move befitting a new nation made up of states with a wide variety of religious traditions and approaches to established religion.

Furthermore, the ratification debates clarify that the ratifiers viewed official establishment of a particular church as direct financial support for a preferred sect, wholly distinct from the nondiscriminatory support and establishment of religion in general, which the Establishment Clause was not thought to limit.

For a century and a half, this misunderstanding of the Establishment Clause endured with little challenge. Before the Civil War, the Supreme Court decided only three Establishment Clause cases of any significance. Indeed, the major debate on the subject during the intervening years revolved around a proposed change to the Constitution: the 1875 Blaine amendment that sought to extend the application of the Establishment Clause to the states and to ban explicitly any church's access to public funds. This legislative effort, borne largely out of anti-Catholic prejudice, failed—a failure that further underscored the settled nature of the Establishment Clause at that time.

Unfortunately, religion was not spared from the destructive judicial activism of a Supreme Court that spun wildly out of control in the mid-20th century. A new crop of justices, disinclined to follow the traditional judicial role of applying the law as written, instead sought to remake the law according to their left-wing worldview. From inventing new rights for criminals to mandating nearly unlimited access to abortion on demand, the Court in this period left few stones unturned in its radical rewriting of the Constitution.

The longstanding understanding of the Establishment Clause was one of the mid-century Court's first victims. Abandoning the understanding of the clause I have previously detailed—an understanding that was clearly supported by text, structure, history, and precedent—the Court turned the Establishment Clause on its head.

In the error-filled words of Justice Black, the Court said in Everson v. Board of Education that ''the establishment of religion clause of the First Amendment means at least this: Neither a State nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another.'' This pronouncement had no basis in text, history, or law. To the contrary, it was diametrically opposed to the understanding of the relationship between government and religion and between the federal government and the states that had endured for much of America's history. Justice Black justified the Court's entirely novel, ahistorical view by turning to Jefferson: ''In the words of Jefferson, the clause against establishment of religion by law was intended to erect a wall of separation between church and state.'' Thus was born the now-commonplace view that the establishment clause was meant to create a high wall separating church and state.

This decision represents a complete inversion of the previously settled, proper understanding of the establishment clause. The command that Congress should make no law regarding an establishment provision is turned from a structural protection against federal power into an individual right to be free from religion. The text protecting the states' power to decide whether and what church to establish is, in the words of one scholar, paradoxically and perversely transformed into a limitation on states' authority to make such a decision. The critical distinction between official establishment of a particular church and general support of religion without regard to particular sects is casually discarded in favor of a blanket prohibition on religious involvement in public life. In the words of two scholars, throughout its decision, the Court ''not only ascribed to the establishment clause separationist content; it imagined a past to confirm that interpretation. Both majority and dissent treated the history of the United States as if it were the history of Virginia. Despite dissimilarity of language, the justices equated the establishment clause with Virginia's statute on religious freedom, thereby appropriating for the federal provision the separationist message and rhetoric of the state enactment.''

As I have explained, the history of Virginia on the subject of state establishment of religion is not the history of the United States. Rather, Virginia was, as Jefferson said, a ''novel experiment'' on the issue. Other states continued to support state-established churches. The wall-of-separation doctrine, which the Court created out of whole cloth in Everson, was not the American tradition. It was an idiosyncrasy of Jefferson's.

Upon this fundamentally flawed foundation, the federal courts have constructed a jurisprudence that threatens any place for religion in the public sphere. Embracing the demonstrably false notion that ''the three main evils against which the establishment clause was intended to afford protection [were] sponsorship, financial support, and active involvement of the sovereign and religious activity,'' the Supreme Court soon adopted the so-called Lemon test for any law to withstand: ''First, the statute must have a secular legislative purpose; second, its principal or primary effect must be one that neither advances nor inhibits religion . . . finally, the statute must not foster an excessive government entanglement with religion.''

In announcing this test, the Supreme Court sounded the note of modesty, noting that the justices could ''only dimly perceive the lines of demarcation in this extraordinarily sensitive area of Constitutional law.'' This admission—though ironic, given the Court's ambition to complete the transformation of the establishment clause away from its historical and textual foundation—was, if anything, an understatement. The Court's efforts to draw a line between the permissible and the impermissible have completely failed. Justice Rehnquist rightly diagnosed the cause of these bizarre results:

These difficulties arise because the Lemon test has no more grounding in the history of the First Amendment than does the wall theory upon which it rests. The . . . test represents a determined effort to craft a workable rule from a historically faulty doctrine; but the rule can only be as sound as the doctrine it attempts to service.

The Court has responded to these acknowledged difficulties not by abandoning its flawed establishment clause jurisprudence but by inventing new tests while never overturning Lemon or the flawed understanding that undergirds it. By one scholar's estimation, the Supreme Court has employed 9 alternate tests of impermissible establishment of religion; another scholar identified 16. While the exact count understandably varies, the result is the same: muddled law that lacks any principled means of application. This lack of clarity enables judicial activism. By liberating the judiciary from the obligation to apply a clear rule, this muddied framework invites judges and justices to implement their own policy views as law.

While this framework shows confusion in marginal cases, its overall effect is clear: to squeeze religion out of government and to deny religious organizations the opportunities afforded to secular counterparts. While the addition of principled jurists to the Court has turned momentum against previous excesses, the thrust of the Court's misguided establishment clause jurisprudence remains dominant.

The Court's flawed wall-of-separation jurisprudence has kept religion out of the public square and fed the idea that

religion is a private matter to be practiced within the confines of one's church or home. Legal and social pressures have taken their toll, and the results are stark: no prayer in school; no new Ten Commandments displays—or even Christmas or Hanukkah displays—unless carefully secularized; a widespread prejudice in many quarters against public officials talking about God or about their beliefs in public; and even the crusade every December to replace the phrase ''Merry Christmas'' with ''Happy Holidays.''

The conventional wisdom peddled by advocates for stringent exclusion of religion from the public sphere is that aggressive enforcement of their vision of the establishment clause enhances religious freedom. Unfortunately, nothing could be further from the truth. The erroneous wall-of-separation doctrine has narrowed the role of religion in public discourse, fueling the view that religion is a private matter rather than a fundamental precept of American civil society. Even members of this esteemed body have fallen prey to the disturbing claim that religious freedom does not extend much further than the church door. Such an approach undermines religious liberty in numerous ways. It counsels government to avoid any perceived entanglement with religion—even accommodation of religious practice, at the core of the right to free exercise. It tells the religious believer that in order to participate fully in public life, he should cabin and hide his religious devotion: Just abandon your religious affiliation, and the government will partner with your school or charity. Just muzzle your faith, and you can fully participate in representative government and lawmaking. Just keep your religion private, and you won't face a swarm of litigation.

Indeed, despite the hard-fought progress in recent years both in protecting religious liberty and in restoring sanity to the courts' approach to the establishment clause, this notion of strict separation continues to exert a pernicious influence, shrinking the sphere of acceptable religious exercise. In so doing, it undermines religious liberty and limits the ways in which faith enriches our society. Restoring a proper relationship between faith and public life must continue to be a top priority as a key component of our broad reference to protect religious liberty for future generations.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATERS OF THE UNITED STATES RULE

Mr. BOOZMAN. Mr. President, I rise today as a strong supporter of the resolution of disapproval we passed today. The WOTUS rule is a classic example of overreach. Arkansans understand that we don't need DC bureaucracies controlling our lands. That is why I stand with homeowners, small businesses, and family farmers in Arkansas in opposition to the WOTUS mandate.

Passage of this resolution today reflects the American people's rejection of this heavyhanded mandate and shows our commitment to a balanced and thoughtful approach to water quality protection. Congress needs to send this resolution to the President. The President needs to understand the opposition this power grab is facing is very real. Not only is there strong bipartisan opposition to this mandate in Congress but also in the courts and most importantly with the American people.

Last week I got an email from David in North Little Rock. David told me that he works in construction, and his email was clear. He supports protecting our Nation's waters, but David believes the Obama administration's rule will create huge problems and uncertainty for the construction industry. He said costs will increase, the industry will lose jobs, and he and others will face unnecessary delays as a result of the mandate that has nothing to do with protecting our waters.

Legal experts within the executive branch have doubts about this rule too. At a recent EPW hearing, we heard that many career experts inside the agencies, particularly the Corps of Engineers, believe this rule is wrong, but each time the Corps expresses concern that the rule went too far, the EPA and the rest of the administration refuse to make changes.

From puddles to irrigation ditches, the EPA wants jurisdiction over every body of water in Arkansas, no matter the size. These are not scare tactics, they are very real truths. In fact, the White House and the EPA are the ones engaging in scare tactics to defend this power grab. They falsely claim that this mandate is necessary to protect drinking water.

Those protections are already in place with laws like the Safe Drinking Water Act. For more than 40 years, the Safe Drinking Water Act has fostered Federal-State cooperation. It has kept our drinking water clean. It is an effective law, one I support. It does far more to protect distribution water than anything in the EPA's power grab. In case these false claims don't scare enough people into supporting this unjustified power grab, the EPA has invoked rhetoric about rivers catching on fire and claim there is rampant toxic pollution in our waterways. Again, this is simply false.

Without waters of the United States, major rivers will continue to receive Federal and State protection just as they have for decades. Isolated nonnavigable waters will continue to be protected by State and local efforts as they have in the past. The courts recognized how misguided this mandate is and have issued a temporary halt to the implementation of WOTUS. That injunction now extends to all 50 States.

I applaud the Arkansas attorney general, Leslie Rutledge, for helping to lead that challenge in the courts. Senator COTTON and I stand arm in arm with our State's attorney general in this fight. We are committed to fighting this mandate legislatively, while supporting efforts to stop it in the courts. That is why today's vote is so very important. The resolution of disapproval will nullify the waters of the United States mandate.

Arkansans understand how unnecessary this heavyhanded mandate is. We already go to great lengths to protect our State's natural resources. We must ensure that States, local communities, and private citizens remain a vital part of the process instead of giving all of the power to Washington. That is what this resolution of disapproval aims to do. I am pleased we passed it today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

(The remarks of Mr. MERKLEY pertaining to the introduction of S. 2238 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from North Carolina.

WATERS OF THE UNITED STATES RULE

Mr. TILLIS. Mr. President, I hate to sound like a broken record, but unfortunately that is the scenario the Obama administration and the minority leader have led me to today. When I sought this position as a Senator from North Carolina, I promised the voters back in my home State that I was going to come up here and fix problems, fix Washington, and get us back to work.

Yesterday an attempt to rein in the President and the EPA failed. It failed along party lines. Today we had another chance to come together and help protect Americans from Washington's continual power grab, to ensure they are not subject to illegal Executive overreach, and to take control of a bloated bureaucracy. Today's effort passed but only by a slim margin. We must stand up to the President and to the Senate minority leader and their efforts to continue implementing policies that destroy our Nation's economy and in this case harm farmers and small businesses in a variety of ways.

I want the voters to remember this day. I want them to remember who stood against the illegal expansion of Federal control over their land and their livelihood and remember those who did not. The waters of the United States—we have acronyms for everything, it is called WOTUS—is just another Washington power grab that has more to do with controlling your property than ensuring access to clean water.

Leaders at the EPA claim that those who oppose WOTUS oppose clean

water. That seems like an absurd notion for anybody who is in this body. This is a completely false and elitist claim. I firmly believe that Members on both sides of the aisle can all agree we value clean water. I love nothing more than going out on Lake Norman back in my home State or spending time fly-fishing in the mountains of North Carolina or spending time on the rivers near our coast, but under this rule virtually every nook and cranny of the country would be subject to EPA control. There is a risk that puddles in our backyards and ditches and crop fields will be regulated in the same manner our States regulate—properly—our beautiful lakes and rivers.

One thing is clear under the waters of the United States, WOTUS, there is no clarity. There is complete uncertainty and layer upon layer of bureaucratic redtape. Our landowners, our farmers, our ranchers, and business owners across the country will be subject to compliance costs, new fines, and the risk of litigation—all at the discretion of the Environmental Protection Agency.

In March, the Senate agriculture committee held a hearing on the waters of the United States, inviting stakeholders to discuss their concerns. We were proud to have the secretary of the North Carolina Department of Environment and Natural Resources, who told us in regard to the rule: ''It's not absolutely clear what in the world it does say, other than providing the EPA with a lot of discretion when determining navigable waters.''

Navigable waters—not a ditch, not a depression that gets filled up when it rains but navigable waters. How on Earth are Members of this body, Senators, willing to allow such a horrible policy to plague our farmers, our businesses and, I might add, our cities and towns that on a bipartisan basis have expressed concern to me in my home State. It is clear to me the Obama administration did not consult with our State leaders, county leaders, and city leaders when choosing to redefine the rule. We are at a moment where we must prevent this policy, putting our landowners and job creators ahead of partisan politics.

It is not my goal to focus simply on North Carolina in this speech. I know my colleagues from Colorado, Florida, Indiana, Iowa, Minnesota, Missouri, Montana, New Mexico, Nevada, North Dakota, a number of States have family and friends who will endure burdens if this bad policy stands.

My State is a great example of just how detrimental this rule is to our farmers and to families in North Carolina. North Carolina has over 300 miles of coastline, 17 major river basins, and roughly 37,000 miles of freshwater streams—all places that North Carolina residents, farmers, and businesses call home. Much of the eastern part of the State, which runs along the Atlantic Ocean, is susceptible to flooding, even after the lightest rainfall.

Earlier this week parts of the State were again hit hard with heavy rainfall, compounding the effects of last month's historic flooding associated with the hurricane. If the Environmental Protection Agency moves forward with waters of the United States, it will severely restrict the local government's ability to quickly react when we are recovering from events.

Imagine this. Imagine a water event or a hurricane or a rain like we had in South Carolina, which dumps 1 foot or 2 feet of water on an area that has been cropland, cultivated, and harvested by farmers—let us say in North Carolina or South Carolina. This rule is going to make it almost impossible for that farmer to begin recovering immediately because of the uncertainty of the regulations that come with waters of the United States. Not only will they suffer the ravages of the storm, they will also suffer the ravages of this poorly thought-out policy overreach.

The policy raises many questions. For example, is a flooded ditch considered a navigable water under waters of the United States? Many people believe it is. What about a crop field that just had 2 feet of rain? A standing pothole may actually be subject to waters of the United States, which puts a farmer in the position where they may get punitive measures imposed upon them by the EPA.

Don't get me wrong. I am a firm believer in ensuring clean water. It is imperative to a flourishing agriculture industry and our local State and national economies. In North Carolina we have a thriving brewery industry out in the beautiful mountains of Asheville. They need access to abundant, clean water.

In Eastern North Carolina, we have a thriving pharmaceutical industry. They need access to abundant, clean water. There are a variety of reasons why we have to make sure our water resources are clean and abundant.

How can I tell our farmers that in ensuring clean water, we may fine them for small flood puddles such as the one shown here? We need fair practices that will help turn our economy around, not hinder the hard work of our farmers, our ranchers, and small businesses across this country. We need policies that will help families put food on their kitchen tables and not penalize our land and homeowners.

Americans need clarity and they need fairness, not vague, ambiguous rules such as the WOTUS, waters of the United States, which undercut State authority, undercut local authority, and promote what I believe is an illegal government overreach.

The Supreme Court has tried to rein in the EPA's misinterpretation of ''navigable water'' several times. Based on the result of our vote earlier today, the majority of this Chamber and the House believe the EPA has overreached—and the courts agree. Yet the President said he will veto the bipartisan resolution that just passed out of this Chamber today. This administration continues to disregard the will of the Congress, the warnings of the courts, and the preferences of the American people. How long will we continue to let the partisan Obama administration dictate our course of action in the Congress and for the country? We must stop this unfunded mandate and alleviate the burdens on our farmers and business owners, not punish them.

If we do not stop the implementation of this egregious rule right now, we are setting a dangerous precedent and we are betraying the trust of many Americans. I urge my fellow colleagues today: Let us stay strong on this bill. Let us send a message to the President that he should sign this resolution into law and get back to healing this economy.

Thank you.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Missouri.

Mr. BLUNT. Mr. President, I ask unanimous consent that the cosponsors of the resolution I am about to call up and I be allowed to engage in a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING AND CONGRATULATING THE KANSAS CITY ROYALS ON THEIR 2015 WORLD SERIES VICTORY

Mr. BLUNT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 305, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 305) commending and congratulating the Kansas City Royals on their 2015 World Series Victory.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUNT. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 305) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

Mr. BLUNT. Mr. President, it may be obvious that my colleagues and I, here in the back of the room—even during a serious debate—are a little happier than the Senate usually finds itself. Of course, we are very pleased to be able to commend our baseball team.

While Senator MCCASKILL and I wish to quickly point out that the team is located in Kansas City, MO, certainly Kansans and Missourians join together to support the Royals, support the Royals in the American League, and in this case support the Royals in the

World Series—and what a series it was. What a team it has been to watch the last couple of years.

I think maybe my favorite comment from the series that didn't end quite so well for us last year was the one game the manager of the Giants just said: They kept hitting the ball where we couldn't get to it.

That is very much the kind of baseball the Royals play, that big ball park they play in. Home runs aren't as much a part of the game as just hitting the ball where the other side can't get to it and then always getting to the ball that the other side hits anywhere.

This is a series that started with a 14-inning classic and ended in a 12-inning thriller, with 5 Royals' runs being scored in the top of that 12th inning.

If this had been a seventh-inning series, the Royals wouldn't have won. The Royals outscored the Mets 15 to 1 from the seventh inning on and won three of the four games after they were behind in the eighth inning or later in the World Series. That just doesn't happen. It is a great record. It has been a great team. Every player on that team contributed to the wins and contributed in significant ways.

Christian Colon became the first Major League player in history to get a series-clinching hit in his first postseason at bat ever. Raul Mondesi became the first player in history to make his Major League debut in the World Series. He never played a World Series game before because he had never played a Major League game of any kind before. Of course, the manager of the Royals, Ned Yost, had the highest winning percentage in Major League Baseball postseason history as he goes right on to do what he and the Royals have been doing. Salvador Perez hit 0.364 in the World Series and started 16 consecutive postseason games after catching 139 games in the regular season. It makes my knees hurt just to think about it, but he did it.

Yesterday 800,000 fans turned out in Kansas City to welcome the Royals home. We are all pleased to be here. I certainly wish to congratulate the owners, the Glass family; the manager, Ned Yost; the general manager, Dayton Moore; the players; the coaches; the fans; and the families. What a great series for the Royals, what a great series for Kansas City, but what a great series for baseball. What a great season for baseball. Certainly, we were all pleased to see the Royals bring this victory home.

We will start by going to Senator ROBERTS of Kansas and then we will go back to either a Missourian or a Kansan as we talk about this great baseball team and this great victory.

Mr. ROBERTS. I thank my colleague for yielding.

Mr. President, I have been sitting here thinking about Missouri and Kansas and our past histories—some differences in politics, some differences in sports, big time, down through the years. What a great thing to happen when, yes, there is the Kansas City Royals in Missouri. I might be a little local here and say primarily filled by Kansas fans, but I will not do that, but it is a great day for both of our States and for people who live in our area.

We are all proud of our Kansas City Royals. It was a hard-fought World Series victory, but it was celebrated in Kansas from Goodland to Liberal, from Parsons to Troy, way up there on Highway 36 and everywhere in between.

Yesterday we saw something amazing happen: Kansas fans and Missouri fans marching in a sea of blue in downtown Kansas City. There were more than one-half million people—no shoving, no pushing, no fires, no problems. There were young and old people from all walks of life, all races, all nationalities, and all Royals fans. The schools were closed. Workers took a break. The streets filled. The windows opened, and it was a gorgeous Royals blue day.

Some are celebrating this kind of victory for the first time. Others are remembering 1985, George Brett and that team, and seeing that same excitement again, this time in their children's eyes. You see, some of us really counted us out—or some counted us out. We are, in fact, a small market team, a team with young but very talented guys. They said we haven't had what it takes to be World Series champions. We didn't have the big name home run hitters or the big name flamethrower pitchers or a big park made smaller for home run hitters. What we did have was a team, players who kept the line moving. The stats made the difference, as indicated from my colleague and friend from Missouri, who went through a number of stats that are rather remarkable.

In this postseason, the Royals strikeout rate was only 16 percent, just 81 strikeouts in 505 plate appearances. The Royals' regular season average was better, just 15 percent. For baseball, that is really amazing and it was the best in baseball. The league average in the regular season was more than 20 percent—20 percent strikeouts, one out of five. That is why people keep yawing. They don't yawn when they watch the Royals.

These Royals had a manager who let them play as they were: young, fast, and aggressive. That is rather remarkable. Ned Yost let them choose whether or not to steal—that is amazing. He let them swing at the first pitch. Alcides Escobar hit that inside-the-park home run in the first pitch in the bottom of the first inning of the first game of the World Series at Kauffman. That is a ball park for playing baseball: hitting, running, fielding, and a few home runs.

He let them play the game. They were relentless. They kept the lines moving, went against unconventional baseball wisdom—and oh was it fun to watch.

We won, Kansas City won, and baseball won. Our celebration today is about the Royals, the joy of the game of baseball, but it is also about our identity as a city and a region.

We were told that a small market team from flyover country would not be able to beat the New York Mets. We won because we kept the line moving—just like the Royals fans do in Kansas and Missouri every day—through a couple of decades of post-season drought, proving our team, our fans, our kind of game is the best in baseball.

I know I speak for the fans all over our State and the hundreds of thousands of fans that gathered to enjoy and celebrate a victory for our team and, yes, for our region, too—and I think for our country. Everybody adopted the Royals. Thank you, Royals. Thank you for showing the world what fun baseball can be if you play the game, if you keep the lines moving.

The Kansas City Royals are the 2015 World Series champions. How about them apples?

I thank my colleague.

Mr. BLUNT. ''Them apples'' as in the Big Apple? Are those the apples we are talking about?

I start in the spring going to minor league games and to major league games, but as we go back and forth across the border here, there is no bigger, more dedicated baseball fan in the Senate than Senator MCCASKILL. If you want to know who is playing, what position they are playing, what their batting average is likely to be, this is always a good way to find out, and I look forward to hearing what she has to say about the Royals.

Mrs. MCCASKILL. Mr. President, listen, I am lucky to be from Missouri because I love baseball. I love sports. I was raised by a great uncle who was like my grandfather and made me go out to the backyard every night in the summer. I even remember he had a small burgundy transistor radio. I would lie on a blanket, he would sit in a lawn chair, and he would hush me—hush me—when important parts of the game came on. He was a big Cardinals fan. I was raised as a Cardinals fan. I spent time in Kansas City early in my career. In fact, I was in Kansas City during the 1980s, the last time that Kansas City won the World Series.

Some people have the nerve to call our part of the world flyover country but not when it comes to baseball. For 4 of the last 5 years, teams who play ball in the middle of America with lower payrolls and with smaller media markets have made it to the World Series, and for 2 of those last 5 years, the world has seen a different kind of ball team. In this day and age when it is all about endorsements, and it is all about your agent, and it is all about whether you are a free agent and how much money you are going to make, they have seen a team that plays like a team. From the fun they have with each other to the way they interact with the community, this is a different kind of professional baseball team. Yesterday, when most teams would have on swag that talked just about their team, T-shirts that would say ''World Series Champion'' or hats that would say ''World Series Champion,'' what did this team have on yesterday in front of those, some say 800,000 people from Kansas and Missouri who flooded into the city in such numbers that they abandoned their cars on the interstate so they would be part of it? What did the team have on? Thank you, KC. It wasn't about them; it was about the community and how closely knit the team felt with the community.

From the fun they had with 1738 to the T-shirts that people wore saying ''Straight Outta Kauffman,'' this was a

team that took baseball seriously but didn't take themselves too seriously. They played the game with intensity, they played the game with immense skill, but always with joy.

I have to tell you the truth. I never thought I would be on the floor of the Senate quoting the amazing orator Jonny Gomes. Most people in America probably don't know who Jonny Gomes is, but the people of Kansas City know. Just because you are a backup outfielder doesn't mean you are not important on this team. Jonny Gomes stole the show yesterday. To paraphrase him—and I have to be careful, because I can't exactly paraphrase him. I don't think one of the words he used I am allowed to use on the floor of the Senate. But I believe it went something like this: Cy Young winner? Not on our team. We beat them. Rookie of the year? Not on our team. We beat them. MVP of the league? No, sorry guys, not on our team. We beat them. We kicked all of their—something which I can't say on the floor of the United States Senate.

So I am proud to quote Jonny Gomes today. I am proud of who he is and what he represents. I am proud of this team. This is a team that understands the essence of being an underdog and coming from behind and proving to everybody they are wrong.

There is a famous poem about baseball, and one of the famous lines starts with the phrase ''there is no joy.'' I have to tell you, there is joy; there is unbridled joy in Kansas City for this team and for all the right reasons. I am incredibly proud to represent a State and an area of our country that has produced this kind of sportsmanship and this kind of grit and determination. The Royals never say quit.

Thank you, Mr. President, and I will turn it over to my colleague from the State of Kansas, who is appropriately sporting a very royal blue tie.

Mr. MORAN. Mr. President, I thank the Senator from Missouri for yielding to me, and I appreciate both my colleagues from Missouri and Kansas joining us on the Senate floor this afternoon.

I wonder if there are folks out in the country who might not be baseball fans and are wondering, with all the challenges our country faces, why these four Senators have gathered on the Senate floor to talk about baseball. But the reality is that this is an example of what can happen when we work together.

We are divided here between Republicans and Democrats in support of this legislation, and that is much easier to overcome than the fact that Missourians and Kansans are working together. There has been a long rivalry between our two States, much of it done with a smile but some done with a little more intensity than just that smile of Kansas versus Missouri or Missouri versus Kansas. The good news is the Royals and their championship are more evidence that rivalry—when it comes to important issues, when it comes to the ability to work together for the benefit of Kansas City and Missouri and Kansas, those communities come together.

I guess my colleagues ought to know that there is Kansas City, MO, and there is Kansas City, KS, and suburbs of both those cities on both sides of the State line. As I have said, as communities they have come together to make sure good things happen, and the Royals is just one more example. This is something that matters to Kansans, whether they live close to Missouri or they live close to the Royals stadium.

The first overnight visit I ever made to Kansas City and actually spent the night in this big city—I grew up about 350 miles west of the stadium—was to watch the Royals play ball in the old stadium. All my life I have said, ''Come on, Royals.'' You can walk through the room in our house, the television is on, the Royals are playing, and that expression out of my mouth is always ''Come on, Royals.'' It is something we all grew up with, wherever we lived in the State of Kansas. You can find almost no fan of baseball in our State who is not a Royals fan.

There is something also about this Royals baseball team. Throughout my lifetime, hearing the voice of Denny Matthews and Fred White as they called the games in Kansas City and around the country gave me a sense—and still today gives me a sense—of peace; that there is something still right in the world; that baseball is still played and teams come together.

Most of us grew up in our early days being on a softball or a baseball team. Baseball brings us together. So while my colleagues and I recognize the importance of the many issues that our country faces and that we are dealing with in the Senate and in the Congress in Washington, DC, there is something comforting in knowing that America can still come together on a pastime, on a sport, on an activity that still means so much to so many Americans.

So we celebrate with this resolution and ask our colleagues to join us in approving this effort in honoring the 2015 World Series champions. It was an amazing season. This is something that hasn't happened since 1985. So 30 years ago, in Kansas City, the Royals played in the World Series and won.

I still envision my wife and her deceased father—her now deceased father. Robba, with her dad, grew up on the Missouri side of the State line, in the shadows of Kauffman Stadium. I can still envision what it was like for a little girl to grab hold of her dad's hand and go to a Royals game to watch baseball. Again, it brings families together on an almost weekly basis over a long season in Kansas City, and it has been true in our family.

We are here today to commend the great things that happened during this season. Since the last time the Royals were champions, many Kansans, many Missourians, many Americans have grown up and gone off to college, served in our country's military, gotten married, and started their own families. So there is great pride, and we are here to affirm how good it feels to have that success once again.

It is pleasing to be an American where baseball is a way that we live our lives, and it brings us together. It is great to be a Kansan who is so proud of the Kansas Royals, and it is great to represent many folks in Kansas City who know life as something that surrounds them with the Kansas City Royals.

This was a special year, a special team, and they loved playing the game. They exuded confidence. They never lost focus. Having fallen 90 feet short a year ago, the Royals players were relentless this year in their drive to get back to the World Series, and it was a joy for all of us to watch them accomplish that and finish that job last weekend against the New York Mets.

So I join my colleagues in congratulating the Royals team, the Royals fans, and Americans who enjoyed this sport and saw great sportsmanship on a baseball field. We are thankful to Mr. Kauffman, and now Mr. Glass, and their families who have invested their efforts and their time and their commitment to the Kansas City Royals. We appreciate the general manager Dayton Moore, and the manager Ned Yost, and commend and congratulate them on this amazing accomplishment. We hope we don't have to wait another 30 years for another national championship involving the Royals and their crowning again.

Once again, I would say, ''Come on, Royals.''

Mr. President, I yield back to the Senator from Missouri.

Mr. BLUNT. Mr. President, my good friend from Kansas mentioned that distance between third base and home plate, and in the ninth inning of the fifth game of the World Series, Hosmer was on third, and I believe there was one out. A ball was hit squarely to the third baseman, who caught it, ready to throw it to first, and then Hosmer did something nobody ever does: He decided he was going to steal home. And when you do that kind of thing, people respond in certain ways. They are surprised, you are surprised, and the Royals did that over and over again. He stole home and the game was tied in the 9th and then went to the 12th, but only because somebody did something nobody thought they would do. We could do a little more of that here, but certainly the Royals did that all season.

I want to ask Senator MCCASKILL if there is anything she wants to add as we close up here.

Mrs. MCCASKILL. Well, I was lucky enough to be a witness to game 5 in New York, surrounded by a lot of apple-eating fans who were in shocked disbelief when it looked like the Mets had it under control and the Royals pulled a patented move out of their

back pocket to tie up the game in the ninth inning.

That particular play was one of those that you could tell it was almost instinct on the part of Hoz because he saw the throw and just went. Frankly, a bad throw to home plate was his savior. I am not sure he would have made it had it not been for the throw that went wild at home plate from the first baseman. But that is the thing that is fun about this team. We can go through—Salvi got the hit. It was a sacrifice hit, but nonetheless this is a guy who got MVP. And it wasn't as if he hit a bunch of home runs in the World Series; he got MVP because he consistently performed in almost a utilitarian way, getting a hit when it was really needed, getting banged up consistently behind the plate. At one point he got hit so hard in the clavicle that I am sure a lot of players would have said: I need an inning. I need to get out. I need to be replaced. But he just kept shaking off every injury. It could get dangerous because he could go on and on.

There were so many contributors on this team. That is what made it so incredibly special. As Senator ROBERTS said, it is not as if there was one hero here, like so many teams that have an A-Rod or a Robert Griffin. We can name the big players who have been standouts, Ripkin and the rest. This is a team in which everybody is a standout because it is all about the team.

Mr. BLUNT. It was a great season. We have had a great time here on the floor talking about the Royals and the Kansas City spirit that drove those teams. For us Missourians, maybe we will see both of our teams in the World Series again next year.

Mr. ROBERTS. Will the Senator yield?

Mr. BLUNT. I will be happy to yield.

Mr. ROBERTS. Just a note of thanks to the Mets for showing up and playing the Royals—they are a great team—and to give them some encouragement. The season starts with the Mets and Royals at Kauffman Stadium, so they can start all over again. It would be a good thing, perhaps, if the Mets made it again, and certainly with the Royals, and gave it a shot.

I am very glad the Senator mentioned the incident where Hosmer decided to steal home. That was like Jackie Robinson back in the day when he was seeking to steal home. Who did that? And to do that in today's ball game, where people pitch only a certain amount of innings and players look to the manager to steal and do this and do that and everything is sort of in a box—the Royals played out of the box and they had fun.

The reason they are all great players is because they played as a team, as my distinguished colleague from Missouri just pointed out. It was a lot of fun. It is going to be fun next year. Don't worry, Mets, you will have a chance again.

Mr. BLUNT. There are a lot of life lessons watching the Royals. There might even be some lessons for us Senators watching the Royals and the way they do what they do.

I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATERS OF THE UNITED STATES RULE

Mr. MORAN. Mr. President, this week has been devoted legislatively to discussing and considering legislation affecting an EPA regulation called waters of the United States. It is one more example of executive overreach by an increasingly unaccountable Federal agency.

I want to speak about our efforts here on the Senate floor this week and again encourage my colleagues to continue their efforts to make certain this overreach is responded to by Congress. The courts have spoken, but we want to make certain we do our job.

One of the criticisms I hear regularly from people who support this regulation is this: Don't you care about water quality? Don't you care about clean water? I absolutely think it is important to protect our Nation's waterways. If you are a Kansan, water is life, water is the future of your community. Water matters greatly. We are not against clean water.

Agriculture producers—which dominate in my State—across Kansas are strongly opposed to this regulation, but they are certainly not opposed to the efforts to keep our water supply safe and clean. Most Kansas farmers and ranchers hope to pass their land and their farming operations on to their kids and grandkids. It serves their interests to preserve the land and water to which their family farms are tethered. It is not the Washington lobbyists and the environmental radicals who are telling Americans ''If you oppose this regulation, you are opposed to clean water.'' That is what they say. Kansans care greatly and particularly farmers and landowners who want their children to enjoy their farm or ranch in the future care greatly about clean water.

It is EPA's abusive regulatory path, characterized by fines, penalties, and potential civil lawsuits against landowners, that gives us major cause for concern. The Federal Government should not dictate to citizens how they manage their private lands.

I believe there are better ways to promote water quality than with threats of severe fines, penalties, or even jail time. One of the ways we see this effort take place is through the Department of Agriculture's Natural Resource Conservation Service. NRCS promotes soil and water health not by mandates and threats from Washington but through collaborative, voluntary approaches that encourage conservation through incentives and on-the-ground technical assistance for those landowners.

Unlike the EPA, which seems to view agriculture producers as untrustworthy partners who must be forced into caring for the land, NRSC and the USDA Farm Service Agency efforts are successful in large part because they operate under the recognition that farmers and ranchers are devoted stewards to their land.

Policies such as the Grassroots Source Water Protection Program and the Environmental Quality Incentives Program are examples of voluntary approaches that incentivize innovation, provide technical assistance, and more broadly promote clean water through localized, cooperative efforts. Compare those approaches to what we are debating here on the floor today and earlier this week—an overly broad, overly complex, overly ambitious regulation drafted by an agency that has shown a complete unwillingness to listen to or work with landowners.

This regulation is pretty straightforward. If it is water, EPA has the authority to regulate it unless it decides it doesn't want to. Again, what this regulation basically says is that if it is water, EPA has the authority to regulate it unless EPA decides it doesn't want to do it.

First, EPA declares that all ''tributaries'' are waters of the United States. Tributaries are defined as anything with a bed, banks, or an ordinary high-water mark, regardless of the frequency or duration of the water flow. This kind of definition is so broad and all-encompassing that the EPA can assert jurisdiction over streams and ditches that may flow only for a few hours following a rainstorm.

This regulation also controls waters that are ''adjacent'' to any water that is under EPA's jurisdiction, including 100-year-old floodplains. And if somehow water could still escape the EPA's long shadow, its broad definition, they came up with yet one more way to regulate it. The regulation states that if waters aren't adjacent or are not tributaries, they can still regulate if there is ''significant nexus'' between the waters EPA wants to regulate and navigable or interstate water. What that means is that every drop of rain can be regulated because every drop of rain always ends up in a body of water that is navigable. All EPA has to do is establish some connection between the two, and they have granted themselves the authority to regulate the waters.

With its significant civil fines and criminal penalties for those not in compliance, we can see why so many Americans are concerned.

Last year, EPA went on a public relations campaign of sorts to convince stakeholders and to convince people across the country that they only meant to ''clarify,'' not expand, the

regulation. Instead of lecturing, the EPA should have listened to the overwhelming feedback they received from constituents, including many who attended a meeting in Kansas City. The EPA should have scrapped the rule and started over.

Now we have learned that not only did the EPA ignore the outcry of the American people, but they also disregarded the technical experts at the Army Corps of Engineers who described the rule as ''not reflective of the Corps' experience or expertise.'' Again, the Corps is the agency that the EPA is to work with to develop rules. They are the experts, and they say this rule is not reflective of the Corps' experience or expertise. The Corps says it is not accurate. The Corps says it is not supported by science or law. The Corps says it is inconsistent with the Supreme Court's decision. And the Corps says it is regulatory overreach.

It is obvious that the regulation exceeds the EPA's legal authority under the Clean Water Act. It is equally obvious that the EPA intended to run roughshod over anyone who disagreed.

The waters of the United States regulation is, in short, a breathtaking abuse of power, and it is something Congress needs to address.

For too long, Congress has looked the other way when this Executive or any other occupant of the White House exceeds their congressionally mandated legal authorities. Republicans perhaps look the other way when there is a Republican President and Democrats look the other way when there is a Democratic President. The reality is that Congress needs to play its constitutional role in determining what the law is and prevent the abuse that comes from a White House that exceeds that legislative authority day after day.

The EPA's regulations ignore two Supreme Court opinions. It ignores a time-honored understanding of what the law does and does not permit in the way of regulation, as evidenced by numerous legislative attempts rejected by Congress to amend the Clean Water Act that the Obama administration now does by regulatory action. It ignores the serious repercussions for farmers and ranchers, electric cooperatives that provide electricity to my State, the oil and gas industry that provides jobs across Kansans, the homebuilders that provide homes for Kansans, and many other small business owners in our State and across the country. And it ignores the concerns voiced by so many more, including State and local officials across Kansas and our Nation.

At the end of the day, if the goal is to promote clean water and responsible land management, there is a much more effective method to do so, as evidenced by the voluntary cooperative efforts within USDA that respect private property rights, incentivize conservation rather than criminalize landowners, and don't threaten to do irreparable harm to our country and to the jobs Kansans so desperately need.

I urge my colleagues to block this regulation and to force the EPA and the Army Corps of Engineers to work with State and local officials and those affected by the regulation in protecting real waters of the United States. We must protect those waters. We should do it much differently than the Environmental Protection Agency proposes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

CRUDE OIL EXPORT BAN

Mr. CORNYN. Mr. President, about a month ago the White House announced that it has reached a deal with 11 other countries along the Pacific Rim—known as the Trans-Pacific Partnership. This is a major trade agreement that followed on the approval of trade promotion authority by the Congress.

As we might expect, President Obama has been quick to tout his credentials as a pro-trade President, and I think so far, so good. In fact, though, you might say he is so pro-trade that he has significantly not only sought to open up the U.S. economy but also the Iranian economy, releasing billions of dollars to a hostile regime by negotiating a deal to ease sanctions against them and potentially releasing as much as 1 million barrels of crude oil by Iran onto the world markets. I think it has been well documented that I oppose that deal.

I do find the President's position is perplexing at minimum or hypocritical at worst. It is hypocritical that despite his self-proclaimed pro-trade stance, he refuses to do something that should be a no-brainer when it comes to any proponent of free trade: opening up foreign markets to the things we make and produce here, like lifting the antiquated ban on exporting crude oil.

By refusing to revise this outdated policy, the President continues to contribute to the flatline of our economy and to deny our potential as an energy powerhouse. And, I might add, at the same time, by not acting to lift this export ban, the President continues to deny our allies the energy they need for their economic security and to improve their national security.

Next month will mark 40 years since the United States put into place a ban on the export of crude oil. For those who might not be familiar with the history, let me offer a little bit of background.

The crude oil export ban was put in place decades ago as a precaution to protect the United States from disruptions to global supply of oil in the 1970s, at a time when we were importing the majority of the oil and gas that we consumed here in the United States. But, fortunately, the world looks a lot different than it did back in the 1970s. For example, in 1970, world production was roughly 48 million barrels of oil a day. In 2015 that number has doubled to 100 million barrels of oil a day, and the United States alone is producing about 9.4 million barrels of oil a day.

As recently as 2008, 76 percent of Americans believed that the world was somehow running out of oil. Thanks to the remarkable shale revolution, we have come a long way in helping the geopolitical energy landscape turn in our favor here in the United States and have reduced our dependency on imported energy from other parts of the country.

I should mention that it is because of the commonsense policies of States such as Texas, Pennsylvania, Ohio, and North Dakota that we have been able to take advantage of the incredible new technology in this field that goes along with horizontal drilling and fracking to produce a supply of oil and gas that we never would have dreamed of a few short years ago. These developments have been nothing short of revolutionary.

We have recently seen an uptick in oil imports in the United States, primarily because overseas energy producers are discounting their crude to be able to take advantage of the U.S. market. The downward trend for the past several years of imports of oil showed that the United States is importing less than it historically has. Why? Because we are producing more here, so we are less reliant. I think most people would think that would be a good thing.

Our country doesn't need to bar our domestically produced energy from reaching the global market. We should do away with this antiquated policy and, in so doing, help kick start the U.S. economy in the process. First, let me talk about what this would do to help our economy. Lifting the ban would mean real job creation right here in this country. These are not minimum wage jobs. These are well-paying jobs. It is easy to think that lifting the ban would only provide a limited benefit to those who work in the domestic energy sector, but that is actually not the case.

Domestic energy production involves many different sectors, from construction to shipping to technology companies. By allowing our country to export more crude, the United States has the potential to create many, many jobs here in the United States at a time when we need more jobs—not only in the domestic energy sector but deep in the supply chain as well.

One study estimated that for every new production job, it translates into three additional jobs in the supply chain and another six in the broader economy. It is estimated that in my home State of Texas alone, more than 40,000 jobs could be created in the coming years simply by lifting the ban and making available to producers the global benchmark price known as the Brent price. Several studies have suggested that hundreds of thousands of jobs in multiple sectors throughout the country could be created in the coming years if the crude export ban is lifted.

By the way, I should mention this—because this is probably on everybody's mind: What is this going to do to the price of gasoline? Study after study has

documented that gasoline prices are going to remain either where they are now or go lower should the ban be lifted. By the way, the Energy Secretary of the Obama administration, Dr. Moniz, agrees with that. It is plain old supply and demand, if you think about it.

Lifting the crude oil ban export would strengthen our economy and could actually save Americans money at the pump. But doing away with this outdated, protectionist policy also gives us the opportunity to promote stronger relationships with our friends and allies around the world. For example, our NATO allies and other nations in Europe rightly question why the United States doesn't lift this ban, which would help them achieve a source of energy that they need, instead of having to depend on countries such as Russia that use it as an instrument of coercion and intimidation.

Today, many of our allies in Europe rely not only on Russia but on Iran for their energy needs. Wouldn't it be so much better if we were able to enter into contracts to sell our energy to our friends and allies to help prop them up and provide them another source of energy, rather than leave them dependent on countries such as Russia that want to use it as an instrument of intimidation. Because of these countries' dependence on our adversaries for their basic needs such as heating, electricity, and fuel, this represents a real vulnerability, not just for them but for us as well because we are part of the North Atlantic Treaty Organization.

As our world becomes more interconnected, we need to take a more long-term strategic view. That means considering the implications of our energy policies for our own national security. By lifting this ban, the United States can offer to help our friends diversify their energy supplies and enhance their energy security and help reduce the revenue that these rogue states take in for nefarious purposes—such as Iran, the No. 1 sponsor of state terrorism.

Lifting the crude oil ban represents a rare opportunity to do two things vital for our country: to strengthen our economy and to promote a safer, more stable world for our allies and partners and ultimately for us.

Last month, in a strong bipartisan vote, the House of Representatives voted to overturn this ban. Now it is time for the Senate to do the same. Unfortunately, the White House has already sent a signal that were we to pass such a bill to lift the ban, the President might decide to veto this pro-trade legislation. I wish to point out to the White House and to anybody else who is listening that time and again the President has relied on Republicans in this Chamber to advance his pro-trade agenda. The reason we have done it is because we agree that a pro-trade agenda is good for our economy and good for our security.

Soon we will have an opportunity to read the full text of the Trans-Pacific Partnership Agreement that I mentioned earlier. Pro-trade Republicans in this Chamber, myself included, have voted to equip Congress with a powerful mechanism with which to consider trade agreements such as the Trans-Pacific Partnership Agreement or trade promotion authority. Trade promotion authority, or TPA, which passed with strong Republican support and only 13 Democratic votes in the Senate, does not guarantee that the President's agreement will pass this Senate or this Congress—far from it. I am going to use all of the tools that we have provided for in the trade promotion authority legislation to make sure this proposed deal, the Trans-Pacific Partnership, gets the kind of careful scrutiny it deserves.

We know the President, with not much time left in his administration, is looking for a legacy accomplishment. But this President's inconsistency with respect to free trade gives me great pause. I have to say that he can't take my support for granted or, I believe, the support of others in this Chamber for the Trans-Pacific Partnership, particularly if he acts so inconsistently on other free trade measures such as lifting the crude oil export ban.

Moving forward, I hope the President will learn to work with those of us in Congress who have traditionally supported free trade in every respect. If he were truly the pro-trade President he claims to be, his administration would prioritize lifting the crude oil export ban with the same ferocity with which it supports the Trans-Pacific Partnership.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Wyoming.

WATERS OF THE UNITED STATES RULE

Mr. ENZI. Mr. President, I applaud my colleague for what he just said, and I want to also applaud the colleagues who today took a stand against the regulatory onslaught and overreach being waged by the Environmental Protection Agency. In promulgating the waters of the United States rule, or WOTUS, the EPA and the Army Corps of Engineers have teamed up to promulgate one of the most expansive Federal power grabs across the Nation.

Recently, I spoke to this body about the threat that the growth and expansion of Federal regulations pose to this country's economic well-being. The growth of Federal regulation and bureaucracy is a menacing threat to this country's security and success. What America needs now is a smaller, less burdensome regulatory framework that will permit our Nation's economy to thrive. With the $18 trillion of debt, we can only afford policies that will serve as a catalyst for economic growth.

This waters of the United States rule is a prime example of a Federal agency coming up with regulations that do the precisely opposite. In the early 1970s, Congress passed the Clean Water Act and charged the EPA with protecting our Nation's navigable waters from pollutants. It has worked. Since then, the EPA and the Corps have been working to ever expand the definition and scope of ''navigable water,'' this time stretching the meaning all the way to the limits of common sense.

With the waters of the United States rule, the administration has once again demonstrated a willingness to advance its own goal at any cost. Under this expansive new rule, the EPA may implement substantial additional permitting and regulatory requirements under the Clean Water Act without any thought to the employees who will lose their jobs, to the businesses or industries this rule will cripple.

As the U.S. Chamber of Commerce said earlier this week in a letter to this body, business owners and their employees in all sectors of the economy would be affected by the regulatory uncertainty of this rule, which is ''certain to chill the development and expansion of large and small projects across the country.''

Again, this is not the kind of regulation America can afford. The waters of the United States rule is so expansive that it would redefine the jurisdiction of bodies of water under Federal control all the way down to, for example, all water located within 100 feet of other jurisdictional water. This is my favorite: The rule further includes all waters located within 1,500 feet of any other jurisdictional water, if it also is in the 100-year flood plain.

I don't know about you, Mr. President, but I won't stand for giving any Federal agency—much less the EPA—five football fields worth of leeway to enforce any rules or regulations.

As chairman of the Budget Committee, I seldom hear any agency talking about having enough resources. The EPA is not an exception. They can't take care of what they already do, and now they want to bite off every body of water in the United States. There is a lot of water that can be cleaned up. There is a lot of water that has been cleaned up. You always start with what is worse. I always tell people that Jesse James robbed banks because that is where the money was. You start where the most pollution is, not where the least pollution is.

States already know best what makes their waters navigable, and they don't need a Federal rule like waters of the United States to constrain them. This is particularly true for the Western States, where water is a rare and protected source and is respected accordingly. In Idaho, a State which historically relied on streams to support its timber industry, lawmakers consider a stream navigable if it will float timber in excess of 6 inches of diameter or if it is capable of being navigated by oar. Six inches—that is not a very big log. If the State of Idaho protects streams small enough to float logs that size, they don't need a rule like WOTUS to further constrict what is considered navigable.

At some point, the overregulation by the EPA and this administration has to

be stopped. Today we had an opportunity to do just that. By passing the resolution of disapproval, we have sent a message to the President, his administration, and all of its bureaucrats. Earlier this week, the body missed a keen opportunity to pass my friend Senator JOHN BARRASSO's bill to roll back this regulation. His bill would have sent the EPA and the Corps back to the drawing board to develop a new rule. It would have told them how to do it. It would have required them to conduct a thorough economic analysis and consult with States, consult with local governments, and consult with small businesses. Congress made a mistake in 1972 when it passed the Clean Water Act and left too much up to the EPA to define. We had a chance to fix that error with Senator BARRASSO's bill.

This rule allows the EPA to regulate any body of water that has a significant nexus to navigable water. Unfortunately, the rule leaves the definition of ''significant nexus'' open to the EPA's interpretation.

Here is something that fascinates me. If you contest, guess who gets to make the ruling in the case. The EPA does. Guess how they are going to rule. As anyone from Wyoming would attest, never has a Federal bureaucrat missed an opportunity to make life a little more complicated for the folks out West. I can't possibly think of why I would give the EPA an opportunity to do so here.

The Clean Water Act recognizes States as having primary responsibility for land and water resources within their boundaries. That is a responsibility taken very seriously in places like my home State of Wyoming, where so many farmers, ranchers, and small business owners rely on water for their livelihood. In Wyoming, folks know that you have to take care of the land or the land will never take care of you. You won't find better stewards for land and water anywhere, so if the folks in Wyoming tell you a rule governing the use of water is no good, you can take that to the bank.

As the State's Governor Matt Mead said, this rule was bad from the start. In his words:

> The EPA failed to properly consult with states or consider states' concerns. The rule unlawfully seeks to expand federal jurisdiction over water, undercuts state primacy and burdens landowners and water users in the West.

Wyoming has joined 30 other States in suing the EPA and the Corps of Engineers to block this rule. If over 60 percent of the States in this Nation are spending time and money to ask the courts to block this rule, then this resolution should pass with flying colors. In fact, if the 2 Senators from each of the 31 States that are suing were to vote for either the resolution before or this resolution, the previous one would have passed cloture. This one didn't require cloture. So in passing this joint resolution of disapproval, our actions appropriately reflected what our States are telling us to do: Stop this rule.

Two Federal courts have already recognized the fallacy of this rule and issued stays to prevent it from being enforced. Those courts have recognized what we should all recognize: the massive scope of this rule and the potential damage it could cause.

Wyoming was lucky in that it got some relief from a U.S. district court judge before the rule could be enforced in late August. In that ruling by which the court stayed the rule's enforcement, the court said:

> The rule asserts jurisdiction over waters that are remote and intermittent. No evidence actually points to how these intermittent and remote wetlands have any nexus to navigable-in-fact water.

I couldn't have said it better.

What the EPA is doing is more out of control than protection. It is an overreach, it is power, and they can't afford it. For the sake of farmers, ranchers, manufacturers, and small businesses and their employees, it is time to stop this outrageous regulation.

I thank the majority leader, Senator BARRASSO, and Senator ERNST for recognizing how important it is to fight this bad EPA rule and bring legislation to the floor to push back.

I urge my colleagues in the House to pass this resolution of disapproval so that we can send a clear message to the President that this Congress will not continue to accept ill-thought-out, ever-expansive, unendingly complicated regulations from this administration, ones that the courts have already ruled on three times.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to enter into a colloquy with Senators CARPER, WARREN, MURPHY, BLUMENTHAL, SCHATZ, and BROWN for up to 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOR-PROFIT COLLEGES

Mr. DURBIN. Mr. President, today I come to the Senate floor to discuss the issue of for-profit colleges. One may wonder how a Member of the U.S. Senate takes up an issue. This came to my attention when a young woman in Chicago, IL, contacted our office and told her story. She was a conscientious young woman who wanted a college education, and, having graduated high school, she shopped around on the Internet and found the degree she wanted. It was a degree in law enforcement offered by Westwood College. Westwood is a for-profit college based in Colorado.

She enrolled in Westwood, and 5 years later—5 years of classes later—she got her diploma in law enforcement from Westwood. She took it to every law enforcement agency in the Chicagoland area, and they said: Young lady, this is not a real college; this is one of those for-profit Westwood colleges. We don't recognize your degree.

When she went to another place, she got the same reaction, and then she realized she had wasted 5 years of her life on a worthless diploma. But that is not the worst part. She incurred a student loan debt of $80,000 and she couldn't get a job. She moved back into her parents' basement. Her dad came out of retirement to help her pay off this loan, and she is going to take years to do it. She has postponed buying a car, getting her own apartment, or even considering marriage or a family. This was one personal tragedy that opened my mind.

I used to drive out on the Kennedy Expressway and see Westwood College signs on these large, tall buildings and think, wow, this must be some college. Well, it turned out that it was part of a network of for-profit colleges and universities that I have been researching and speaking about ever since.

When I started 5 years ago, it was a different industry than it is today. Too many people like this young lady ended up with empty promises, deep debt, and worthless diplomas from for-profit colleges and universities.

Westwood isn't the only one. The biggest for-profit college is the University of Phoenix. DeVry University, based out of Chicago, IL, is the second largest. Kaplan—which used to own or was owned by the Washington Post, depending on your point of view—ITT Tech, and Le Cordon Bleu are names young people know right off the bat because they are inundated with advertising from for-profit schools. They and their parents think these are real schools. They think: It is worth my time. It is worth the debt to me and my family to pursue a degree.

Five years ago, this industry was in its heyday. Enrollment and profits were sky high. They were a favorite of Wall Street investors. Between 1998 and 2008, enrollment at for-profit colleges exploded by 225 percent. By 2010, total enrollment in these for-profit schools reached 2.4 million.

When the former chairman of the HELP Committee, Senator Tom Harkin of Iowa, released a report on the industry in 2012, they had grown to take an incredible share—$32 billion in Federal taxpayer dollars, 25 percent of all the Federal aid to education. Despite the fact that they had 10 percent of the students, they were taking 25 percent of the Federal aid at that point. Why? They are so expensive. The tuition is so much higher than public colleges and universities or even many private colleges.

Meanwhile, more than half the students who enrolled in for-profit colleges left without a degree within 4 months and found themselves in student loan default. Five years ago, 10 percent of the students accounted for 47 percent of the student loan defaults. How can it be that 47 percent of the students who can't pay back their student loans went to for-profit colleges? It costs so much and the degrees are worthless.

John Murphy is a cofounder of the University of Phoenix. This was the mother ship of them all during the

great for-profit college movement. Here is what he said in the Deseret News National:

> They are not educators and they're looking to manipulate this model to make money. There is nothing wrong with making money, but I think anyone making money in an educational activity has a higher standard of accountability.

John Murphy, a cofounder of the University of Phoenix, is right. He explained that they started off as a serious venture to educate students, but they soon became a company listed on Wall Street chasing stock prices, tapping into the open spigot of Federal loans, which Mr. Murphy calls the juice of the for-profit college industry. He went on to say:

> Phoenix was the one that got it rolling, and then all the other for-profits followed them in.

I will yield at this point to my colleague from Hawaii. I thank Senator SCHATZ for joining me in this colloquy.

Mr. SCHATZ. Mr. President, I thank the assistant Democratic leader for his leadership on this issue and for his willingness to educate colleagues and educate the public and to push the DOE to take much needed action in this area.

What is happening with some for-profit colleges is truly a national scandal, and it is a scandal for two reasons: First, students are being hurt, and second, we are wasting tens of billions of dollars. The numbers speak for themselves. Almost 2 million students are enrolled in for-profit colleges, and they have collectively taken on $200 billion in debt to attend, but they often leave with little to show for it. More than half drop out within a few months, and in some programs less than 5 percent of their students ever graduate. For those who leave without a degree, repaying loans is a struggle. Students at for-profit colleges default on student loans at double the rate of students at not-for-profit colleges.

People may be surprised to learn that these substandard programs are financed almost entirely by the Federal Government, and the amount is totally staggering. In total, for-profits receive over $32 billion a year in Federal financial aid—over 20 percent of the total aid—yet they serve only 12 percent of the students.

There are several for-profit companies that each take in more than $1 billion a year in Federal aid and graduate less than 10 percent of their students. Think about that. They take in more than $1 billion in Federal taxpayer money and they graduate less than 10 percent of their students. These companies include the Apollo Group, DeVry, ITT, Kaplan, and Education Management Corporation.

Not only are the educational metrics awful, but many of these for-profit colleges are also under investigation for fraud and deception. Essentially, they have been lying to students and to State and Federal agencies to cover up how bad their record is. Even while prosecutors go after these schools for fraud, they remain accredited and continue to rake in Federal funds. Here are a few examples:

Education Management Corporation, EMC, faces charges of fraud and deception brought by prosecutors in 13 States and the Department of Justice and faces a lawsuit to recover $11 billion in Federal and State funds. Yet EMC is still accredited and still receives $1.25 billion from the U.S. DOE. So the Department of Justice is trying to recover $11 billion at the same time that the Department of Education gives them $1.25 billion.

ITT Educational Services is being investigated and sued by 19 States, the SEC, CFPB, and the DOJ. It is also under scrutiny from U.S. DOE for failure to meet financial responsibility standards. Yet they are still accredited, and last year they received just under $600 million.

Another 152 schools are under investigation by a working group of 37 State attorneys general. They too are still accredited. Collectively, they received $8 billion in Federal financial aid last year.

What do all of these schools have in common? They are accredited. Accreditation is the key to the castle for accessing this spigot of Federal financial aid. It is supposed to signify that a program provides a quality education for its students. Too often, however, the accreditation means nearly nothing.

The GAO released a study on accreditation last year, and its findings are shocking. Over a 4-year period, the GAO found that accreditors sanctioned only 8 percent of the institutions they oversee and revoked accreditation for just 1 percent. Even more troubling, GAO found there was no correlation between accreditor sanctions and educational quality. In other words, schools with bad student outcomes were no more likely to be sanctioned by their accreditor than schools with good student outcomes.

Our accreditation system is broken. According to the Higher Education Act, accreditation agencies are supposed to be ''reliable authorities as to the quality of education or training offered'' by institutions of higher education.

That is the reason for making accreditation a core criterion for receiving Federal funds. How are we following the law when accreditation reviews find that 99 percent—basically, everybody—99 percent of institutions are providing an education of value? How can we say with a straight face that accreditors are acting as reliable authorities on educational quality?

The problem here is money. Incentives are lined up against being critical and against setting high standards. The problem can be traced to the funding and governance of the accrediting agencies. First, accrediting agencies are funded by the same institutions they accredit. Colleges pay an initial fee to become accredited and annual dues after that. They pay for site visits and other services.

Second, accrediting agencies are run and overseen by the institutions they accredit. The member institutions elect their own academics and administrators to serve on the board of the accreditation agency.

It is not hard to see how the incentives are misaligned here. We have created a dysfunctional, if not corrupt, ecosystem in which it is far too easy to become and remain accredited. This system is eerily similar to the one that enabled credit rating agencies to pump out inflated asset ratings, which contributed to the worst financial crisis of our time. Like credit rating agencies, accreditors have a financial interest to churn out accreditations.

The DOE has the authority to improve accreditation. There are a lot of things that Senator DURBIN and others, Senator MURPHY, and I are working on in terms of changing the Higher Education Act and working in the appropriations context, but U.S. DOE has authority that it is beginning to use but needs to use more of in the accreditation space. It can and must do more to ensure that accreditors are actually looking at academic quality and holding schools to high standards. For the sake of students and taxpayers, the DOE must make this a top priority.

I thank the assistant Democratic leader for his leadership on this issue.

I yield the floor.

Mr. DURBIN. Mr. President, I hope the Senator from Hawaii can stay for just a moment.

If a student is about to graduate from high school, looking for a college, and goes online and types in the word ''college'' or ''university,'' watch what happens. The page is flooded. The University of Phoenix, DeVry, Kaplan—all of these different schools are flooding the page saying: Come to our school. How does a student know if it is good or not? The only yardstick that can be used is, well, do they receive Federal Pell grants for their students? Do their students receive Federal loans? The answer, when it comes to for-profit schools, is yes.

Senator SCHATZ has put his finger on the problem. They accredit themselves. They decide among themselves who will stay in business. Guess what. They all stay in business.

So the unsuspecting student goes to a worthless, for-profit school, gets a worthless diploma, goes deep in debt, and thinks, I thought this was a good school. How can I get a Federal Pell grant to this school and get a worthless diploma?

The Department of Education is not doing its job. Congress is not doing its job. We have to enforce these standards.

Corinthian was one of the giants. Corinthian went bankrupt. They measured how many students came out of Corinthian and got a job. The numbers were pretty encouraging. The Huffington Post writer started following

the students that got the jobs. Do you know what Corinthian was doing? They were giving $2,000 to employers to hire their graduates for 1 month so they could report to the Federal Government that their graduates all have jobs. When they were caught with it, they went bankrupt.

Do my colleagues know what we ended up losing, what the Federal taxpayers lost? It could be billions. Who ended up on the hook? The students. The students ended up with the debt, and the taxpayers ended up as losers. Corinthian should never have been accredited.

Mr. SCHATZ. Mr. President, there are two problems here. Normally, when something is a waste of taxpayer money, it is not usually also harmful to individuals across the country, but this is a double whammy. This is harming students, causing them to collectively incur tens of billions of dollars' worth of debt, and it is a waste of money, so this really is a double whammy.

I will make this final point: The Obama administration has done the right thing in terms of going after malfeasance in this space, but they are split among their executive agencies. We have the Department of Justice who understands the fraud and deception. We even have parts of the U.S. DOE that understands what is going on, yet they have been slow on the uptake in terms of using the authority under the statute to make the accreditation process a little more reliable when it comes to students. I think that is one of the key things that we are going to be able to accomplish in the next couple of years. The U.S. DOE has to understand that there are separate accrediting agencies, but under the higher education statute, U.S. DOE has the authority to make sure that no institution that is providing a low-quality education and no institution that is engaging in fraud and deception ought to avail themselves of tens of billions of dollars in Federal financing.

Mr. DURBIN. I thank the Senator from Hawaii.

Last week, the senior Senator from Arizona came to the floor and said it was DURBIN's speeches that brought down Corinthian. Correction: What brought down Corinthian was its own malfeasance. They were under investigation by 20 different attorneys general for fraud and deception. They were also under investigation by the Securities and Exchange Commission, the Department of Education, and the Department of Justice. It was their malfeasance that brought them down, as Senator SCHATZ has indicated. The victims: Students and taxpayers.

For purposes of this colloquy, I wish to yield to my colleague from Delaware, Senator CARPER.

Mr. CARPER. Mr. President, I want to thank the Senator for inviting us to come to the floor this afternoon and have this conversation. It is great to be with our colleague from Hawaii as well.

Senator DURBIN and I came to the House of Representatives together in 1982. I had been a State treasurer and before that I was a naval flight officer. I was a P–3 aircraft mission commander. I served three tours in Southeast Asia. In 1968, the P–3 four-engine aircrafts were on 12-hour surveillance flights tracking Soviet nuclear submarines all over the world. We flew a lot of missions off the coast of Vietnam and Cambodia, low-level missions tracking infiltration. That is what I did on three tours over there.

I came back from overseas after the last tour, 5 years, and moved from California where my station was home ported, where my squad was home ported during the war, and I ended up moving across the country. I found Delaware on the map, drove my Volkswagen across the country, and enrolled in business school.

I signed up with the GI Bill. I remember the first check I got was $250. I was thrilled. I used that money to help pay my expenses, and I signed up with a Reserve P–3 aircraft squadron up at the naval air station north of Philly and started flying the same aircraft and a new squadron. I did that for another 18 years and then retired as a Navy captain.

As Senator and as a Governor for 8 years and as commander in chief of the Delaware National Guard—they have a special spot in my heart. A couple of months ago, a delegation with the Governor were sending off the 300 men and women from the Delaware National Guard to eventually end up in Afghanistan. I suspect they are there by this time. I said to the men and women and their families as they were preparing to leave—I told them about my GI Bill and how grateful I was to have it for my generation. I talked to them about their GI Bill. I said: When you come home, if you have 3 years of service during your time in Afghanistan, here is what you are going to get. If you go to Delaware State University, University of Delaware, Delaware Tech Community College, you go for free—tuition, free; books, free; fees, tutoring, free. Plus you get a $1,500 a month housing allowance. People said: Wow. And I said: If the GI doesn't use it—the Delaware National Guardsman—if you guys don't use it when you come home, your spouse can use it. If your spouse doesn't use it, your dependent children can use it. It is the most incredible GI bill benefit ever. My generation, we got $250 a month. I am happy for the folks today who serve in Afghanistan and in Iraq for the benefit they receive.

It has not only been a great benefit for the veterans and their families, it puts in the words of—I think it is Polly Petraeus who works at the Consumer Financial Protection Bureau. Polly said that what the GI bill does is it also puts a silver bull's-eye on the veterans because they come back and what happens is a lot of colleges and universities and training schools want to help those GIs and their spouses and maybe their kids go to school. Some of them are for-profits and some of them are non-profits; some of them are public colleges and universities. Some of them do a great job. Some of the for-profits even do a great job. But some of them—and the Senator from Illinois has mentioned some of them here today—do not. They spend more money on trying to recruit people to come to their schools than they actually spend educating them. They are preparing them for careers, allegedly, for what there are no jobs. Senator DURBIN mentioned what Corinthian has done to place people in work opportunities for a month or so just so it will look like people are being gainfully employed.

There is a lot of money to be made by these for-profit colleges and universities, and for the ones that aren't the white hats but the black hats, what is happening to the GIs and, frankly, to taxpayers is shameful. It is just shameful.

I want to say around maybe 1992, maybe the early 1990s, maybe on this floor, the Senate debated whether or not there should be some way to harness market forces to ensure that—whether it is people using Pell grants or other Federal aid programs, or maybe the GI bill—they could somehow harness market forces to ensure that taxpayer money going to people going to college was being well used. Initially, when the Congress adopted something called the 85–15 rule, the idea was that for at least 15 percent of the students in the school, if they were receiving Federal assistance, 85 percent of those students would have to be coming on nonFederal money. That seemed to make sense, so for a while, that worked pretty well.

Then the rule was changed to the 90–10 rule so that at least 10 percent of the revenues had to come from nonFederal sources. The idea was to use market forces to ensure that the quality of the diploma was actually worthwhile at the school.

Then, we had this new GI bill. We have spent, I think—and the Senator from Illinois probably knows better than me, but I think we have spent today close to $50 billion on the Iraq-Afghanistan GI bill, close to $50 billion. It probably dwarfs whatever we spent for folks coming back from the Vietnam war.

Some of the smart for-profit colleges figured out a loophole, though, and what they figured out is the law, when it was first adopted, didn't really focus on the GI bill because it wasn't all that robust, and the 90–10 rule—85–15 and 90–10—focused on things that did not include the GI bill. So when veterans go to college and the GI bill helped to pay for their tuition, or for that of their spouses or their children, that does not count toward the 90 percent.

So as a result, what we have is a loophole that allows a college or university, a private college or university, to realize as much as 100 percent of their revenues from the Federal Government—100 percent. There is nothing

about market forces; 10 percent, 15 percent of your students have to come by nonFederal means. All of them are there on the Federal Government's dole.

Among the people who pushed for the 85–15 rule, I think, were Bob Dole and Phil Gramm, and they said a long time ago that we ought to have something like the 90–10 rule. A couple of years before that, the guy that Senator DURBIN will remember named William Bennet—remember him, the Secretary of Education—here is what he called for-profit trade schools. Here is what he called them in 1987. He said:

> Diploma mills, designed to trick the poor and to take on Federally-backed debt, milk them for their loan money and then wash them out or graduate them, ill-prepared to enter the job market and pay off their loans.

That is what he called them. As I said earlier, there are some for-profits that do a good job, but there are a bunch that don't. That was the case in 1987 and, unfortunately, it is the case today.

I just want to say we—you have, I have, Tom Harkin in past years—have continuously drawn this to the attention of our colleagues and anybody who wants to listen this issue. This needs to be fixed. It needs to be fixed.

I thank Senator DURBIN for working so hard and letting me help him a little bit on this stuff. I think we are starting to break through. Some of the folks who are the worst actors in this business are starting to fold, and that is a good thing.

Mr. DURBIN. I want to thank Senator CARPER.

Let me show the Senator briefly what has happened to the enrollment of for-profit colleges and universities as people have come to realize they are wasting their time, and many times their GI bill benefits, debt, and ending up with a diploma that doesn't take them anywhere.

Look at the University of Phoenix—this is the mother ship that launched this industry—peak enrollment was nearly 500,000 in 2010. Now it is 227,000, a nearly 50-percent loss.

ITT, which advertises constantly, had enrollment in 2010 of 88,000, and now they are down to 53,000. Career Education Corporation enrolled 41,000 students in 2014 compared to 118,000 in 2010—a 65-percent decrease. Education Management Corporation is down 25 percent. DeVry has declined in enrollment. What is happening here?

I talked to some of the people from some of these for-profit colleges. Parents and families are finally realizing that this is a waste of time and money. It is time for taxpayers to realize the same thing. I overhear my colleagues—conservative colleagues—preaching to me about the miracle of free markets. We are talking about the most heavily subsidized industry in America, accounting for over 40 percent of the student loan defaults with 10 percent of the students enrolled.

I thank the Senator from Delaware for coming, and I yield to the Senator from Massachusetts, Ms. WARREN.

Ms. WARREN. I thank the Presiding Officer and thank Senator DURBIN for calling us together to discuss this important issue.

Our higher education system is broken. Right now a student borrows money to go to college, and the college gets paid in full regardless of whether the college provides a decent education. In fact, Federal loan money is so easy to come by that a new business model of for-profit colleges has sprung up, spending more money on advertising to attract students than actually teaching them anything.

Consider three numbers—10, 20, 40. Just over 10 percent of all college students attend a for-profit college. Yet they take in about 20 percent of all Federal student aid and they account for about 40 percent of all student loan defaults. Many for-profit colleges target young vets and single moms for programs that promise the Moon but end up delivering nothing more than heartache.

I have met with student veterans at terrific public colleges and universities across Massachusetts, such as UMass Lowell and Bunker Hill Community College. These schools are working hard to reach vets and to help them get a first-rate education through their Office of Veterans Service and other resources. It is an exciting story, but time after time the for-profit colleges got there first, so young vets show up already tens of thousands of dollars in debt and without a single credit that will transfer to a decent public college. This makes me sick. These for-profit schools are stealing more than money. They are stealing the hard work and dreams of some of our finest young people.

There are 347 colleges in the United States in which the majority of the students have defaulted or failed to begin paying down their loans. Of these colleges, 85 percent are for-profit. Even with those huge default rates keep raking in the Federal loan dollars and paying out millions of dollars in dividends to their shareholders. These 294 for-profits are sucking down $2.2 billion in Federal assistance and leaving the majority of their students unable to repay their loans.

The business model of for-profit colleges challenges the conventional wisdom that a college degree is always a smart investment. A recent study found that the average salary increase of for-profit graduates isn't even enough to cover the costs of attending a typical for-profit institution. The research is clear: attendance at a typical for-profit college is simply not worth the cost. It is a bad return on investment.

For-profit colleges know this, but too often the potential students don't. Instead of taking the tough steps necessary to improve the value of the education they offer, most of these for-profit institutions have simply ramped up their marketing operations—and some just flatout break the law—to keep the gravy train going. These colleges have engaged in fraud in order to swindle more and more students and suck down more and more Federal funds.

Corinthian College is a prime example. At its peak, Corinthian was the Nation's largest for-profit chain, with 120 campuses enrolling over 100,000 students. It was massive. Corinthian built its business model to scoop up Federal financial aid by any means necessary—including fraud. Corinthian was trying to rope students in by using false and misleading information and then saddling them with debt that would be impossible to repay.

Federal policymakers had concerns about Corinthian's conduct for years and had the tools to shut off the Federal loan supply, but instead of acting, the Department of Education allowed Corinthian to keep recruiting more and more students and sucking down more and more Federal funds. When Corinthian's dangerous mix of mismanagement and deception finally blew up, the Department of Education even stepped in to bail out the college and keep it running a little while longer. Now Corinthian is bankrupt and its students are scrambling to start over.

Last week—due to a lawsuit brought by the Consumer Financial Protection Bureau—a Federal judge ruled Corinthian broke Federal consumer protection laws and ordered the company to pay $531 million for its illegal behavior, but Corinthian is dead broke, and its executives are off the hook for the financial liability. Plus students and taxpayers are left holding the bag.

Corinthian got people to sign up for student loans by scamming them. If an insurance salesman or a car dealer did that, the buyer wouldn't have to pay. The law is just as clear here, when a school breaks the law, students are entitled to cancel their student loans. That is why this week several of my Democratic colleagues are sending a letter to the Department of Education telling them they have dragged their feet long enough. These students don't owe the student loans that Corinthian tricked them into signing.

Schools like Corinthian make it clear that the Federal Government needs to be more aggressive and more willing to cut off the money faster when schools defraud students. When schools such as Corinthian break the law, their executives shouldn't be allowed to walk away from the mess. They should pay real penalties.

This is about basic fairness. Neither students nor taxpayers should be on the hook to a for-profit college that makes its money by cheating its students. It is time for the Federal Government to step up and do its job to hold for-profit colleges accountable and to ensure that higher education remains a real pathway to success for all hard-working students.

Thank you, Mr. President.

I yield the floor back to Senator DURBIN.

Mr. DURBIN. I thank Senator WARREN, and before we recognize the Senator from Connecticut, I would like to make a point about executive compensation, which is something we should not overlook.

We take a look at the actual amount of money that is being paid to executives of these for-profit colleges and universities. It is dramatically larger than what is being paid to presidents of public universities. I will put this information in the RECORD at a later point.

The average pay for college presidents is less than $500,000 a year. There is an executive at the University of Phoenix who was paid over $8 million in 1 year. When we wrote to the Department of Justice recently, we asked how many of these people are going to be held personally accountable. They left the students holding the bag with student loans and worthless diplomas or dropouts. They left the taxpayers holding the bag because the students can't pay back their loans, and now they are going to go away scot-free after taking billions of Federal dollars? If there is any justice, they need to be held accountable.

I yield to my colleague Senator MURPHY.

Mr. MURPHY. I thank Senator DURBIN very much.

This article is a few years old, but it underscores his point. Here is the opening line of an article from CNBC on this question of salaries for the CEOs of for-profit universities. The article opens by saying: ''Forget Wall Street and Silicon Valley. If you're looking to rake it in post-graduation, set your sights on the executive floor at one of the nation's for-profit colleges.''

That is an article from CNBC detailing the fact that in their article—again this is a few years old—the salary of the head of Phoenix University was $11 million, and the CEO of Bridgepoint, another national for-profit university, was making over $20 million a year.

You can say to yourself: These are private, for-profit companies. Why should Congress be in the business of caring what the CEO of Phoenix University makes or what the CEO of Bridgepoint or ITT or DeVry makes?

Harry Truman made his name as a critic of wartime profiteering. LBJ made his name as a young Member of Congress doing the same. Their idea was that it is all well and good to make yourself rich in the most dynamic capitalist economy in the world, but it is another thing to be getting rich off the taxpayers. It is another thing to be making your fortune almost exclusively coming from sources of money that really is all of our constituents' money in the form of the taxes they pay.

That is what we are talking about today. What we are talking about are executives who are getting rich off of companies that are 90 percent funded by the U.S. taxpayer because this 90–10 rule we talked about is an important rule for these companies. They run their revenue right up to the limit. So for many of these for-profit universities, their revenue is 70, 80, 90 percent from the taxpayers of the United States, and their CEOs are making $11 million, $12 million, sometimes $20 million a year.

Listen, I am all for people making a million dollars. I have a lot of people in Connecticut who are making $20 million, but if we are being good stewards of the taxpayers' dollars, we should be wary of those who are making their fortune off of the Federal dole. That is what is happening today.

Senator DURBIN, I just wanted to add in this conversation a note of accountability. That is one of the things that used to unite Republicans and Democrats. Frankly, the Republicans, I admit, cared more about accountability in Federal dollars than sometimes the Democrats did. It was the Republicans in the second Bush administration who started attaching strings to education dollars that were flowing out of Washington to make sure there was actually quality attached to the money that was coming from U.S. Federal taxpayers, but that era seems to be over.

Unfortunately, we don't have a bipartisan consensus on accountability. We are about to approve a budget that a lot of Republicans and a lot of Democrats will vote for that will send $140 billion in higher education aid to universities all across this country. It will come with almost no strings attached. It will come with almost no expectations that schools give a degree to kids that will actually get them a job or attempt to keep them in school so they can get some return on investment for the money we are all paying to them.

Senator, you might have talked about it already today, but the numbers of for-profit colleges that just came out today are absolutely stunning. I don't know if you talked about the ''Trends in Student Aid'' report that just came out today from the College Board.

Here is an amazing statistic. What this survey says is that borrowers who don't graduate from public and private nonprofit 4-year schools default at about the same rate as borrowers who do graduate from for-profit schools. Think about that. You are just as likely to not be able to pay back your student loan if you get a degree from a for-profit school as if you had dropped out of a not-for-profit school.

Here are the numbers: 14 percent of for-profit graduates default; 15 percent of not-for-profit 4-year college nongraduates default. That is a really stunning number. Yet we are just sending money willy-nilly out to these schools that are not putting students in degrees. Why are they not putting students in degrees? Because they are marketing themselves in a way that just does not square with the job market today.

As part of one of these attorney general lawsuits—there is a litany of stories about the abusive marketing techniques of these for-profit universities.

One of them said: I told the enrollment representative that I did not want to sign the loan unless I was guaranteed a job because I knew that I would not be able to pay it back. She told me that the school placed 99 percent of the students and they could guarantee a job after I finished my externship. She told me that I would be making between $18 and $20 an hour after completing the program. No worries about the loan. She told me career services could place me in a job and that she makes sure everybody who enrolls gets placed.

These are the claims that are being made. So it is frankly not surprising, when you have these for-profit universities enrolling thousands of kids in video game design degrees, that you are just as likely to default on a loan if you graduate from some of those worthless programs as if you don't graduate from a not-for-profit university.

So last Congress, Senator SCHATZ and I, joined by Senator MURRAY and Senator SANDERS, introduced a piece of legislation that would start to require some real outcomes from universities. We applied it to for-profit and not-for-profit universities. We said: You have to show that you are giving kids a chance to succeed and get a job, that you are keeping your tuition at reasonable levels. If you do that, then you can continue to get title IV dollars.

But if they don't, we are not going to continue to send money to these schools that simply are not producing graduates who are ready to compete or that are deceptively drawing students in based on claims that just do not wash out in the end.

So, yes, we have to shut down these fraudulent institutions like Corinthian. But we could just make a decision, Republicans and Democrats, to put some additional accountability standards on title IV dollars, apply it to for-profit and not-for-profit schools, and say: If you have a certain number of students who are defaulting, you are not going to continue to get title IV dollars. If you have a rate of tuition increase that is way above that of the national average, you are not going to continue to get title IV dollars.

We know by statistics that this would put a good number of for-profits out of business. It might even touch a handful of the lower performing not-for-profits. But it should be something on which both sides can come together, just some basic accountability for higher education, a basic accountability for the $140 billion we send, because this does not make sense. It does not make sense to pad the pockets of these CEOs who are making $20 million a year off of our taxpayers when they are not delivering results that are actually making our economy better.

Thank you, Senator DURBIN, for bringing us together here. I hope that as we debate the Higher Education Reauthorization Act in front of the HELP

Committee—I think Senator ALEXANDER is very interested in some of these debates. So we are going to add some accountability standards. We are talking about these for-profits, but if we really are being good stewards of the taxpayer dollars, we should expect some results.

Mr. DURBIN. I thank Senator MURPHY for his comments.

I will tell you that it is interesting to me that when you take a look at what Wall Street thinks about the for-profit colleges and universities, they are certainly bearish. You would think from what Congress is doing—sending billions of dollars to this industry and propping it up—we are bullish. Take a look at the stock prices of the major for-profit colleges and universities since 2010. The University of Phoenix went from a high of $57 a share down to $7.50. This was after the Department of Defense suspended their activities under the GI bill. ITT Tech—a high of $92 a share in 2011 and they now trade at $3 a share. Career Education was $20 a share in 2011 and was $3.80 yesterday. Education Management Corporation withdrew their stock from NASDAQ so they would not have to make reports to the Securities and Exchange Commission. In 2014, they lost $684 million. This is an industry which is failing as a business, but sadly it is dragging along students and families and taxpayers with it. That is why we have to come to grips.

I endorse your idea. Apply the standards across higher education, to for-profit and not-for-profit. I can tell you, these for-profits cannot live with that standard. Thank you, Senator MURPHY.

I thank Senator BLUMENTHAL from Connecticut for joining me.

Mr. BLUMENTHAL. Mr. President, I thank my great colleague from Illinois and my friend and partner from Connecticut for their very powerful analysis, along with Senator WARREN and Senator CARPER, because there really is a need for dispassionate, objective, and targeted consideration of this area of education.

The Senator from Connecticut is absolutely right that we need accountability in both the for-profit and nonprofit areas. Senator DURBIN has emphasized that fact repeatedly. I am here as a former member of the Health, Education, Labor, and Pension Committee who participated with Senator Harkin in announcing a report more than 2 years ago that highlighted many of the abuses in this area. Still, Corinthian has happened since then. There are still abuses in the for-profit area. But there is a need for accountability in the nonprofit area as well.

In all of these areas, there is a need for facts. There are more facts that may be available more recently that ought to be considered, indications that some of the for-profit colleges are doing a better job than others. Kaplan, for example, has recently released facts. None of us can vouch for them independently. The Department of Education has an obligation to do better and more to make sure it keeps faith with American students and American taxpayers in the way dollars are allocated to those for-profits.

I am particularly concerned, as the ranking member of the Veterans' Affairs Committee, with the impact of some of these abusive practices on veterans. One of the really unacceptable facts about this industry is the way it can sometimes exploit and take advantage of our veterans. Senator CARPER put it very well when he discussed how the for-profit schools are prohibited from receiving more than 90 percent of their total revenue from Federal student aid, but VA educational benefits are not counted toward that 90 percent. This 90/10 loophole causes the for-profits to target veterans and to rake in billions of dollars in VA educational benefits. In fiscal year 2014, the for-profit schools received over $2 billion in VA educational benefits—that is our money, taxpayer funds—including post-9/11 GI benefits.

As ranking member of the Senate Veterans' Affairs Committee, I am working to help protect our Nation's veterans and the GI bill benefits they have earned. In fact, I have introduced legislation—the Career-Ready Student Veterans Act—to ensure that GI bill funding is not squandered on education programs that lack appropriate programmatic accreditation.

Facts are stubborn things, as Ronald Reagan famously said. Facts are what we need. Accreditation and verification and credibility in this area is essential rather than painting with a broad brush every for-profit, rather than tarring all of them. Facts are necessary here, and there is a need for accreditation and for facts that show credibility and legitimate course work.

I will be introducing another bill this week to provide relief to veteran students who have been harmed by for-profit schools. I want to repeat that point. These veterans have been harmed directly and tragically by some of these practices. We owe them better. We need to keep faith with them. That is the reason I am going to be introducing the Veterans Education Relief and Reinstatement Act. That will give the VA Secretary authority to reinstate GI bill entitlements that a veteran has used at a school that abruptly closed—think Corinthian—where veterans have lost those benefits and they need a remedy, not just a right but a remedy.

I am hopeful that we can advance these bills through the Veterans' Affairs Committee and stop for-profit colleges like Corinthian from scamming our Nation's veterans. Like my colleagues, I could cite real-life instances of nonveterans as well. But the evidence is overwhelming, and it is acknowledged by some in the industry who say there is a need for corrective measures here, and some of the outliers need to be treated with the strong discipline and discouragement they merit.

I am proud to join my colleagues in this effort. I am hopeful that the report Senator Harkin and the HELP Committee produced years ago will finally reach fruition and that action will be taken by the Department of Education and by this Senate to take measures that protect taxpayer dollars, protect students of America, and protect our veterans.

Mr. DURBIN. I thank my colleague from Connecticut, Senator BLUMENTHAL, for joining in this colloquy this afternoon.

What we have tried to do with a number of Senators is to lay out the case that when we go to higher education reauthorization, we owe the taxpayers and we owe families across America the responsibility to look at this industry. What is happening here in inexcusable and unacceptable. It is unfair. Ten percent of the high school graduates, 20 percent of the Federal aid education, 40 percent of all student loan defaults.

Senator MURPHY pointed to the statistics that came out today. You are in just as bad shape with a diploma from a for-profit school as if you drop out of school at a not-for-profit school. That is a damning statistic, just like the 40 percent in student loan defaults.

We cannot continue to look the other way. Wall Street is not looking the other way; they are downgrading these for-profit colleges and universities because they believe this model is flawed. They don't believe it can be sustained. Why do we kid ourselves? Let's apply standards across higher education—standards that are fair to students, fair to families, and fair to the schools—and say to them: This is what we expect as a minimum if you are going to offer higher education to the students across America.

I ask unanimous consent that this transcript from Sharyl Attkisson's television program ''Full Measure'' which played last Sunday be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TRANSCRIPT

SHARYL ATTKISSON'S ''FULL MEASURE''

(Aired Sunday, November 1, 2015)

WASHINGTON (Sinclair Broadcast Group).—Some for-profit colleges are allegedly preying on military troops; veterans with benefits and a desire to build a new life become targets.

They've even been given a name by some college recruiters: cash cows.

About 300 thousand vets get up to $21K a year in G.I. Bill money. In all, 1800 colleges—many of them for profits—have received more than $20 billion G.I. Bill tax dollars.

With so many billions in the mix, it's easy to see why some colleges use high pressure and allegedly dishonest tactics. Now, taxpayers are about to be on the hook for alleged misconduct by the schools.

As a U.S. Marine, Bryan Babcock fought on the front lines in Iraq including the Second Battle of Fallujah in 2004. His post-military plan: police work. He used his GI Bill money to pursue a criminal justice degree at the for-profit college ITT Tech.

Attkisson: How did you hear about it?

Babcock: I saw a commercial on TV. That kind of got me interested in them.

Babcock says ITT promised that police agencies everywhere would accept the degree. The cost—$70,000—would far exceed his GI Bill grant at the time, but ITT made it easy for Babcock to borrow. He says they even helped him fill out paperwork for student loans. Then, after his third year, he made a startling discovery.

Babcock: We applied to 22 or 23 police departments.

Attkisson: And what did they say?

Babcock: All of them said that they did not recognize ITT's degrees or their credits.

Attkisson: And what thoughts went through your head when you heard this?

Babcock: I was angry that I'd spent all this money in student loans and it turns out that the degree, if I would have finished there, would have been pretty much worthless.

It's a story told by thousands of vets who attended for-profit colleges where students are more likely to drop out, default on their loans, or graduate in dire debt without a useful degree.

Of eight for-profits that get the most GI bill funds, seven have been targets of inquiries for possible violations including deceptive or misleading recruiting.

Together, they received nearly a billion ($939,086,610 million) tax dollars over two school years.

One of those companies is DeVry University where Chris Neiweem was hired as the school recruited vets under the new GI Bill.

A veteran himself, Neiweem was assigned to ''Team Camo'' where he says managers urged the sales team to use high-pressure tactics on troops who sometimes weren't suited for college.

''Working in the industry at that time truly reminded me of the film 'Glengarry Glen Ross,' '' he said.

''There is this scene where a corporate sales manager is brought in to improve the performance of the sales floor—played by Alec Baldwin.''

In the scene, Baldwin says to a salesman ''they're sitting out there waiting to give you their money, are you gonna take it?''

''And that was similar at the company,'' said Neiweem.

If ''Team Camo'' dared to let veterans suspend class while in combat like those in the National Guard Neiweem says management called them on the carpet.

Neiweem: The company didn't care. They just wanted to make sure that they stayed in their classes and so the university could continue to be paid and they would continue to be on the enrollments books.

Attkisson: Even if they were in a combat zone that didn't make sense for them to try to go to college on the computer?

Neiweem: Yes. Management's guiding wisdom was, to be frank, ''get their ass in class.''

Neiweem showed Full Measure today's sales tactics at work.

In a chat on DeVry's website, he asks about costs and benefits—but can't get direct answers.

''I can have a representative from our military admissions team reach out to you,'' he said, reading the response of a recruiter.

''It's fairly frustrating that I asked these questions and I can't get answers. Rather, they're trying to sort of tie me in and get me closer so they can work towards selling the school.''

DeVry officials declined an on camera interview but said ''DeVry has a long history of serving veterans and military personnel'' dating back to the 1940's. And ''['W]e offer quality academics and student services with flexibility to meet their busy schedules.''

Former Congressman Steve Gunderson leads the main national for-profit college trade group called the Association of Private Sector Colleges and Universities (APSCU).

''If anybody has a bad outcome, and certainly if a veteran has a bad outcome, that's a problem and we want to solve that,'' he said.

He believes for-profits are under assault from opponents and competitors.

Gunderson: I have never before seen a situation where a sector is the target of attacks for ideological reasons. I mean, there simply are good people who do not believe the private sector oughta be involved in the design and delivery of education.

Attkisson: Fair enough, but is there any doubt in your mind that some schools have used unfair, unethical, or even dishonest tactics?

Gunderson: There is no doubt in my mind that there are bad schools in every sector of higher education who have engaged in inappropriate conduct for various reasons whether it be athletics or whether it be admissions or it be something else.

Gunderson said the industry is improving.

A Government Accountability Office report found for-profits catering to military students actually beat public schools in one area: higher graduation rates.

With billions flowing to for-profits under investigation, President Obama dispatched a warning at Ft. Stewart army base about any for profits that may be preying on the troops.

''It's not right. They're trying to swindle and hoodwink you. They don't care about you; they care about the cash,'' he said.

But as federal scrutiny surged, the industry has countered with Washington lobbyists and campaign cash.

Since 2010, for-profit colleges have poured nearly $10 million ($9,906,512) into campaign contributions and spent $41 ($41,924,452) million on lobbying, according to the Center for Responsive Politics.

Sen. Dick Durbin (D–Illinois): That's how you really win friends and influence people on Capitol Hill. The for-profit colleges and universities have friends in high places.

Attkisson: That implies some members in Congress, you think, are bought and paid for on this issue.

Sen. Durbin: I would say this—they are influenced by it.

Senator Durbin has pushed one bill after another to fight for-profit college fraud, only to see the bills get watered down and voted down.

''If these schools that are enticing kids into loans for educations that are worthless had some 'skin in the game,' some responsibility for default, they'd think twice about it. But they don't. They could care less,'' he said.

It turns out taxpayers have the most skin in the game.

In June, the federal government said it will forgive loans for students at Corinthian College, putting taxpayers on the hook for up to $3.5 billion. Corinthian shut down in May amid fraud accusations, which the company denied. And the feds may wipe out loans at other problematic colleges.

In May, the federal government charged Babcock's alma mater, ITT Tech, with fraud, alleging it concealed financial information from investors.

ITT is fighting the charges, but declined our interview request.

Gunderson says he doubts Babcock's ITT degree would have really been useless.

''I am willing to say, that if he graduated, from an accredited criminal justice program, there are many police agencies that would hire him. Maybe not the one he wanted to go to, but there are many that will, and evidence all across the country shows that,'' said Gunderson.

Babcock gave up on the ITT degree and his dream of police work. Instead, he's focused on warning other vets, and working to pay down his $40 thousand student loan debt.

''I think it's a shame that they prey on men and women that volunteered to protect this country. And that earned a benefit with their service, and then ITT and the other for-profit schools are just trying to take that,'' he said.

The Defense Department recently banned the University of Phoenix from recruiting on military bases, alleging a pattern of violating policies designed to protect military students. Senator Durbin says ITT is now facing investigations by the Justice Department and 18 Attorneys General.

Mr. DURBIN. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATERS OF THE UNITED STATES RULE AND THE EPA

Mr. COTTON. Mr. President, today I wish to speak about our vote on the waters of the United States and the Environmental Protection Agency.

I noted that the White House has lately been advocating for criminal justice reform. They say an underlying problem with the justice system today is that Congress criminalized too much conduct too severely. But it is the same White House that is behind the new waters of the United States regulation—an Executive power grab that would effectively put every landowner in Arkansas and in America at risk of Federal criminal charges for making adjustments to land on their own private property.

The waters of the United States regulation gives the government jurisdiction—and, in turn, the danger of Federal criminal charges—over tributaries, adjacent waters, and ''other waters.'' This includes streams that only exist after heavy rains or, as some of us call them, mud puddles.

If a landowner in Arkansas has so much as a ditch on his or her property, he or she could be liable for Federal criminal charges for disturbing that ditch in any way. If a homeowner wants to add an addition to his garage and this addition even touches ''land that fills with water after rain,'' also known as just ''land,'' this homeowner could be liable for Federal criminal charges.

President Obama and my Democratic colleagues argue that we are exaggerating: Come on, they say; the Environmental Protection Agency would never bring charges against a homeowner for expanding his garage or trying to regulate a mud puddle.

They insist on the benevolence of the EPA and ask us to trust them to exercise good judgment and reasonable discretion. Before we trust the EPA's benevolence, though, it is prudent to examine the EPA's own track record.

Let's consider that in August of this year, the EPA directed contractors to excavate the Gold King Mine in Colorado without first testing the water pressure or calculating water volume. In the worst environmental disaster in recent years, the EPA caused more than 3 million tons of toxic wastewater to pollute the Animas River.

Since the spill, much of the toxicity remains, endangering farmers, landowners, Native Americans, and anyone who relies on this river. After the spill, the EPA has refused to turn over documents, disciplined no one, failed to show up to congressional hearings, refused to take responsibility, and still won't answer the simple question of whether the Agency will pay for the damages it caused.

The Navajo Nation in New Mexico relies on the river polluted by the EPA for drinking water and for farming. In the days following the spill, the Navajo lost their water supply. The EPA offered to deliver clean water that the Navajo could use for drinking and crop irrigation but, instead, they used dirty oil tankers to deliver contaminated water.

The EPA is not only a threat to citizens, to landowners, and to businesses, but it is also a threat to the environment they purport to protect. Since the disaster, the EPA has continued to spill toxic wastewater into creeks and rivers. There has been zero accountability for this Agency.

Based on that track record, I don't think we should be giving the EPA any more power. That is why I joined my colleagues earlier today to vote to roll back the waters of the United States regulation before the EPA criminalizes nearly every landowner in the United States.

But we should also consider the bigger picture. This regulation is a symptom, not the problem. The problem is the EPA itself—its overreach and lack of accountability.

That is why we must pass the EPA Accountability Act. This legislation would require the EPA to pay—out of its own budget—for the damages it recklessly caused when spilling 3 million gallons of toxic waste into the Animas River. Unless the EPA faces consequences for its actions against the American people, nothing will change. It is our constitutional responsibility to provide oversight of an agency that has caused massive damage to both the American people and to the environment.

We must protect Arkansans and Americans from EPA overreach and lack of accountability.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, what is our parliamentary posture?

The PRESIDING OFFICER. The Senate is on the motion to proceed to H.R. 2685.

Mr. NELSON. Mr. President, I ask unanimous consent that I be given 5 minutes to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

''EL FARO'' TRAGEDY

Mr. NELSON. Mr. President, on the morning of October 1, the *El Faro* cargo ship—a container ship almost 900-feet long—was carrying 33 men and women, and on that fateful day it sent its final communication, reporting that the engines were disabled. This left the ship drifting with no power, with an oncoming category 3 hurricane. Despite search-and-rescue attempts by the Coast Guard, the *El Faro* and her crew were not heard from again.

One month later, the National Transportation Safety Board, working with the U.S. Navy, has found the sunken *El Faro* at the bottom of the ocean in waters that are 15,000 feet deep. At nearly the same time, the ship's owner, TOTE Maritime, began its attempt to limit the company's liability for this tragedy.

News reports have indicated that the company filed a complaint last week stating that the company did everything in its power to make the ship safe and that the company ought to be exonerated from any and all claims for all damages.

Well, this is clearly hasty decision-making. It clearly is a matter of concern to me because most of these mariners were from my State of Florida. Their families are grieving and hoping for any answers as to what happened to their loved ones.

Well, right now, we don't have all of those answers. The NTSB only just found the ship with the help of the U.S. Navy, and yet somehow the company is able to definitely declare that they weren't at fault and that they bear no responsibility for the loss. It seems that this is an attempt to limit any liability of the company.

So this is a time when we need reflection for figuring out what happened to the *El Faro*, for finding the ship's recorder, which the U.S. Navy is now in the process of trying to find, and then once you have that black box, for piecing together the ship's last minutes before the ship sank.

So instead of being split apart, it is a time to come together as a community and to support those who have been so tragically impacted.

I have some leadership responsibility on the commerce committee, which has jurisdiction over maritime matters. It is my intention to see that there is a thorough and honest investigation to try to find answers for the families and to find answers so that we can prevent a tragedy such as this from happening again. That is where we should be focused.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, it is hard to think of a time in recent memory when the number of threats facing our country were more diverse or more threatening than they are now—from ISIL to Russia, from China to the Taliban, from Iran to Al Qaeda. These threats are real, these threats are worrying, and these threats make the political games that Democrats continue to play with our men and women in uniform all the more hard to understand.

Democrats have spent months upon months blocking funding for our troops. They have tried to hide behind a whirling kaleidoscope of excuses, moving from one to another as each is debunked, but with the setting of a top-line budget number last week, the final excuse is gone. What is the excuse now?

It is time for the appropriations process to finally be allowed to move forward. That means it is time for the men and women who put everything on the line for us to finally receive the support they need to be safe. It is time for our troops to finally get the certainty they need to plan for training and operations.

The Defense appropriations bill is half of all discretionary spending. The Defense appropriations bill contains no controversial policy riders—none. The Defense appropriations bill was supported in committee 27 to 3. Nearly every Democrat voted for it. Democrats even sent out press releases praising the bill. It is obvious why we should pass it now.

President Obama's own Secretary of Defense just wrote an op-ed titled ''U.S. Military Needs Budget Certainty in Uncertain Times'' in which he implored Congress to authorize long-term funding for the military.

He said:

> In this uncertain security environment, the U.S. military needs to be agile and dynamic. What it has now is a straitjacket. At the Defense Department, we are forced to make hasty reductions when choices should be considered carefully and strategically.

He concluded with this:

> I appeal to Congress to act on a long-term budget deal that will let American troops and their families know we have the commitment and resources to see them succeed, and send a global message that the United States will continue to plan and build for the finest fighting force the world has ever known.

So look, our colleagues across the aisle are just completely out of excuses. It is time to move the bill forward. Once we do, we have every intention of then moving on to other appropriations bills as well.

Remember, our Members worked very hard on these bills. Nearly all of the appropriations measures passed committee with support from both parties. We obviously want to process all of them.

If Democrats hadn't wasted literally months blocking every last one as part of some political game, we could have passed all 12 appropriations bills a long time ago, but since they did, it has forced Congress up against a December 11 deadline of the Democrats' own creation. We are going to work within that deadline to get as much done as we possibly can. With bipartisan cooperation, we can get a lot more accomplished. With more political games, we can get a lot less done.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

EPA CLEAN WATER RULE

Mr. MCCAIN. Mr. President, I was pleased to vote today in support of S.J. Res. 22, which would nullify the Environmental Protection Agency's recently finalized clean water rule. Just yesterday, I voted in support of a bipartisan bill, S. 1140, authored by my colleague, Senator JOHN BARRASSO, which would have forced EPA to pull the rule. Unfortunately, that bill did not receive the 60 votes necessary under Senate rules that are needed to pass.

The resolution passed by the Senate today is supported by hundreds of national and local organizations, including the American Farm Bureau Federation, the U.S. Chamber of Commerce, and the National Homebuilders Association, to name a few. While I understand that the White House has threatened to veto this resolution if it reaches the President's desk, it is still important that a majority of Congress voice their opposition to the EPA rule as Federal courts continue to weigh its legality.

Americans around the Nation are lining up against the EPA clean water rule because of its economic cost, the regulatory impact, and the uncertainty it engenders among State and local governments, businesses, and consumer alike. The rule itself bypassed Congress by redefining the types of water bodies under the Clean Water Act that EPA has the authority to regulate. EPA pushed forward without regard for State and local environmental protection laws, which is partly why about a dozen State attorneys general, including from my home State of Arizona, have won injunctions in Federal court against the EPA rule.

The EPA claims that the rule only allows the Agency to halt activities that disturb small, environmentally sensitive streams and wetlands. But when you dive into the rule's lengthy publication, you will find that EPA is proposing to expand its jurisdiction over roughly 60 percent of all waters of the United States and can also capture certain irrigation ditches, stock ponds, and even dry desert washes. Farmers, housing, construction jobs, and other activities will all suddenly find themselves under the thumb of EPA bureaucrats. The EPA will claim it has written waivers into the rule for these industries, but there is growing consensus that the waivers are so unclear and conflicting that nobody believes they hold any water. The EPA's rulemaking process itself was so closed off from outside input and peer-reviewed science that it is clear to any reasonable observer that EPA had misjudged the economic damage their rule will inflict on small business, farms, and local governments around the country.

The EPA rule is especially bad news for Arizona agriculture and homebuilding sectors which, combined, account for most of all economic activity in my State. If a farmer wants to build or repair a canal, the EPA rule could block it. A community that wants to build a school or a church near a dry wash will have to beg EPA for a permit. Under the rule, the EPA can even fine a private property owners tens of thousands of dollars if the Agency thinks water historically flowed across their land even when there is no visible evidence.

Regardless whether or not the President vetoes this resolution, I will continue to oppose the EPA clean water rule. I am a proud cosponsor of Senator JEFF FLAKE's similar bill, S. 1179, the Defending Rivers from Overreaching Policies Act, DROP Act, which would direct the EPA to pull its rule over its poor, nonscientific definition of ''navigable'' water bodies. We will continue to push forward with this and other legislative initiatives and will watch closely to see how the courts handle the EPA rule.

ADDITIONAL STATEMENTS

TRIBUTE TO ROBERT PARK

• Mr. BROWN. Mr. President, I wish to recognize and congratulate Mr. Robert Park, director of the Portage County Veterans Service Commission, on his retirement after more than two decades of service to Ohio veterans.

Mr. Park served 26 years in the naval service, retiring in 1997 as a chief aviation electronics technician, Aircrew. He flew more than 2,000 hours in a P–3 Orion aircraft, predominately as a radio operator with Combat Aircrew 6 in Patrol Squadron 93, where he was selected as ''Gold Wing Sailor of the Year.''

During his time with the Portage County Veterans Service Commission, VSC, Mr. Park worked directly with staff to help maintain a high-quality standard of service to veterans. Mr. Park advocated to significantly increase VA benefits for Portage County veterans. According to the Ohio Department of Veterans Services, for every dollar Portage County spends related to the VSC, veterans in Portage County receive $93.20 in benefits thanks to the work of Mr. Park.

Mr. Park's dedication to veterans and military families in Portage County extends beyond his position at the Portage County VSC. Mr. Park also served as a board member for the Family and Community Services Freedom House, which is an organization that serves homeless veterans. Mr. Park is also a member of many veterans organizations, including the local Veterans of Foreign Wars, American Legion, and Disabled American Veterans chapters.

Mr. Park also served statewide as second vice, first vice, and finally as president of the Ohio State Association of County Veterans Service Officers. He also worked for many years as an instructor for the Ohio Department of Veterans Services.

Nationally, Mr. Park advocated for veterans as an executive board member, judge advocate, and instructor on the National Association of County Veterans Service Officers.

Beyond his dedication to veterans, Mr. Park continues to support his community through involvement in organizations that help develop young people as future leaders. Mr. Park currently serves on the board of Access to Independence and the Rootstown Local School District. He also volunteers as an assistant coach for both baseball and soccer, as well as Cub Master and Scout Master for local Cub and Scout Troops.

Mr. Park and his wife, Rebecca, have three children: David, Jonathan, and Rachel.

Bob will be truly missed not only by his VSC family, but by the veteran community in Portage County and throughout the State of Ohio. Bob always gave his best to the veterans and families he served. I would like to thank Mr. Park for all his years of service, as a sailor and later as an advocate for veterans. I wish him all the best in his retirement.•

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2232. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3438. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Diethofencarb; Pesticide Tolerances'' (FRL No. 9934–05) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3439. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Metaflumizone; Pesticide Tolerances'' (FRL No. 9934–88) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3440. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Nicosulfuron; Pesticide Tolerances'' (FRL No. 9912–40) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3441. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Rimsulfuron; Pesticide Tolerances'' (FRL No. 9912–31) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3442. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''User Fees for Agricultural Quarantine and Inspection Services'' ((RIN0579–AD77) (Docket No. APHIS–2013–0021)) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3443. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was established in Executive Order 13224 on September 23, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3444. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Existing Validated End-User Authorizations in the People's Republic of China'' (RIN0694–AG69) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3445. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; North Carolina; Conflict of Interest Infrastructure Requirements'' (FRL No. 9936–35–Region 4) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Environment and Public Works.

EC–3446. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; WY; Update to Materials Incorporated by Reference'' (FRL No. 9932–61–Region 8) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Environment and Public Works.

EC–3447. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Volatile Organic Compound Emissions from Large Aboveground Storage Tanks'' (FRL No. 9933–89–Region 1) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Environment and Public Works.

EC–3448. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Oklahoma'' (FRL No. 9936–37–Region 6) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Environment and Public Works.

EC–3449. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Quality State Implementation Plans (SIP); State of Iowa; Infrastructure SIP Requirements for the 2008 Lead National Ambient Air Quality Standard (NAAQS).'' (FRL No. 9936–33–Region 7) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Environment and Public Works.

EC–3450. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to imported foods for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–3451. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Disposition of Unclaimed Human Remains, Funerary Objects, Sacred Objects, or Objects of Cultural Patrimony'' (RIN1024–AE00) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Indian Affairs.

EC–3452. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Fourth Quarter of Fiscal Year 2015''; to the Committee on Veterans' Affairs.

EC–3453. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0494)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3454. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0929)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3455. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0773)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3456. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2775)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3457. A communication from the Management and Program Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH (formerly Eurocopter Deutschland GmbH) (Airbus Helicopters) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0034)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3458. A communication from the Management and Program Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piaggio Aero Industries S,p,A, Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2466)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3459. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; M7 Aerospace LLC Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2207)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3460. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class C Airspace; Portland International Airport, OR'' ((RIN2120–AA66) (Docket No. FAA–2015–2905)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3461. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Mackall AAF, NC'' ((RIN2120–AA66) (Docket No. FAA–2015–3057)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3462. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Poplarville-Pearl River County Airport, MS'' ((RIN2120–AA66) (Docket No. FAA–2012–1210)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUNT (for himself, Mr. WARNER, Mr. BURR, Mrs. FEINSTEIN, Mr. WYDEN, Mr. COTTON, Mr. RISCH, Ms. MIKULSKI, Mr. KING, Mr. RUBIO, Ms. COLLINS, Mr. LANKFORD, Mr. HEINRICH, Ms. HIRONO, and Mr. COATS):

S. 2234. A bill to award the Congressional Gold Medal, collectively, to the members of the Office of Strategic Services (OSS) in recognition of their superior service and major contributions during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself, Mrs. MCCASKILL, Mr. WYDEN, Mr. MENENDEZ, Mr. BLUMENTHAL, Mr. LEAHY, Ms. WARREN, Mr. SANDERS, Mr. FRANKEN, Ms. KLOBUCHAR, and Ms. BALDWIN):

S. 2235. A bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAPO:

S. 2236. A bill to provide that silencers be treated the same as long guns; to the Committee on Finance.

By Mr. SANDERS:

S. 2237. A bill to limit the application of Federal laws to the distribution and consumption of marihuana, and for other purposes; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mr. CARDIN, Mr. SANDERS, Mrs. BOXER, Mrs. GILLIBRAND, Mr. LEAHY, and Ms. WARREN):

S. 2238. A bill to prohibit drilling in the outer Continental Shelf, to prohibit coal leases on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL (for himself, Mr. LEE, and Mr. MURPHY):

S. 2239. A bill to restrict funds related to escalating United States military involvement in Syria; to the Select Committee on Intelligence.

By Mr. BARRASSO (for himself, Mr. ENZI, Mr. RISCH, and Mr. CRAPO):

S. 2240. A bill to improve the control and management of invasive species that threaten and harm Federal land under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN:

S. 2241. A bill to combat the heroin epidemic and drug sample backlogs; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT (for himself, Mrs. MCCASKILL, Mr. ROBERTS, and Mr. MORAN):

S. Res. 305. A resolution commending and congratulating the Kansas City Royals on their 2015 World Series victory; considered and agreed to.

By Mrs. MURRAY (for herself, Ms. CANTWELL, Ms. COLLINS, Mr. SCOTT, Mr. BOOKER, Ms. AYOTTE, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. COONS, Mr. DONNELLY, Mr. FRANKEN, Mr. KAINE, Ms. KLOBUCHAR, Ms. MIKULSKI, Mr. PETERS, Mrs. SHAHEEN, and Mr. REED):

S. Res. 306. A resolution designating the week beginning November 2, 2015, as ''National Apprenticeship Week''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 637

At the request of Mr. CRAPO, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 885

At the request of Ms. WARREN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 885, a bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

S. 1491

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1491, a bill to provide sensible relief to community financial institutions, to protect consumers, and for other purposes.

S. 1524

At the request of Mr. BLUNT, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1524, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1686

At the request of Ms. BALDWIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1686, a bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in passthru entities.

S. 1715

At the request of Mr. HOEVEN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1715, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the arrival of the Pilgrims.

S. 1719

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1719, a bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

S. 1830

At the request of Mr. BARRASSO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1830, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1834

At the request of Mr. BLUMENTHAL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1834, a bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

S. 1856

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1915

At the request of Ms. AYOTTE, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 1945

At the request of Mr. CASSIDY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1945, a bill to make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes.

S. 1975

At the request of Ms. MIKULSKI, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 1975, a bill to establish the Sewall-Belmont House National Historic Site as a unit of the National Park System, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2044

At the request of Mr. THUNE, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2044, a bill to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

S. 2052

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2052, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to waive the requirement of certain veterans to make copayments for hospital care and medical services in the case of an error by the Department of Veterans Affairs, and for other purposes.

S. 2123

At the request of Mr. GRASSLEY, the names of the Senator from Kentucky (Mr. PAUL) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2152

At the request of Mr. CORKER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 2152, a bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

S. 2208

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2208, a bill to promote the economic security and safety of survivors of domestic violence, dating violence, sexual assault, or stalking, and for other purposes.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 282

At the request of Mrs. SHAHEEN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. Res. 282, a resolution supporting the goals and ideals of American Diabetes Month.

S. RES. 302

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. Res. 302, a resolution expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks.

At the request of Mr. BLUMENTHAL, the names of the Senator from Michigan (Mr. PETERS), the Senator from Kansas (Mr. MORAN), the Senator from Washington (Ms. CANTWELL), the Senator from Maine (Ms. COLLINS), the Senator from Maryland (Ms. MIKULSKI), the Senator from Idaho (Mr. CRAPO), the Senator from Idaho (Mr. RISCH), the Senator from Indiana (Mr. COATS), the Senator from Colorado (Mr. GARDNER), the Senator from Missouri (Mr. BLUNT), the Senator from Oklahoma (Mr. INHOFE), the Senator from Arkansas (Mr. COTTON), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Arizona (Mr. MCCAIN) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. Res. 302, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MERKLEY (for himself, Mr. CARDIN, Mr. SANDERS, Mrs. BOXER, Mrs. GILLIBRAND, Mr. LEAHY, and Ms. WARREN):

S. 2238. A bill to prohibit drilling in the outer Continental Shelf, to prohibit coal leases on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. MERKLEY. Mr. President, I rise to recognize the damage global warming is doing to our beautiful blue-green planet and talk about a specific bill, the keep it in the ground bill, that can be part of the way we successfully address global warming. There is no doubt our planet is getting hot: 2014 was the hottest year ever recorded, and 2015 is on course to be yet hotter and set a new record.

In fact, the top 10 hottest years have all occurred since 1998. We see the evidence of warming everywhere. The Earth is crying out. Maine's lobsters are moving North, Pacific oysters are struggling to form shells in a more acidic Pacific Ocean, glaciers are disappearing from Glacier Park, moose are dying in Minnesota and New Hampshire because winters are too warm to kill the ticks that prey on the moose, and they are also too warm to kill the pine beetles that kill our trees.

Wildfires are raging in the West, towns in Florida are flooding at normal high tide, droughts are killing crops, and the most powerful storms are doing major damage to communities across our Nation. Everywhere the impacts of global warming are substantial. They are damaging. Our planet is in danger. So we need to act to keep our planet from being destroyed. It is time for our Federal Government to show some real leadership on this. Specifically, we need to accelerate the transition from a fossil fuel energy economy to a clean energy economy. All the damage I was citing, damage to our forestry, damage to our farms, damage to our fisheries, all of this is caused by a less-than-1-degree-Celsius change. The current estimate is about 0.9 Celsius degrees.

Scientists have said the maximum the planet can tolerate without catastrophic damage is 2 degrees Celsius or about 3.6 degrees Farenheit. So we have almost used up half of that global warming quotient. How much more damage will we see if we get to 2 degrees? The answer is, a whole lot more. Scientists say it will be catastrophic for our ecosystems, it will be catastrophic for human civilization.

The simple fact is that carbon dioxide is serving as a blanket on our planet making it warmer. The simple fact is that the major culprit for carbon dioxide is the burning of fossil fuels. To limit our planet's warming to 2 degrees Celsius, we must leave, as human civilization of this planet, 80 percent of the identified proven fossil fuel reserves in the ground—not to extract it, not to burn it.

Part of the answer to this challenge is beneath our feet. We, the U.S. citizens, own fossil fuel reserves that constitute a substantial percentage of the proven reserves on the planet. Various estimates are 6 to 10 percent. If we must keep it in the ground; that is, keep our fossil fuels—80 percent of them—in the ground, then isn't it counterproductive to do new leases, leases that will extend production not 10 or 15 years but 20 or 30 years on gas and 40 or 50 years on coal, into the future? We lock in extraction and burning of fossil fuels far into the future, when our planet cannot bear the burden of the carbon dioxide from burning that far into the future.

Shouldn't our public reserve, that citizen-owned reserve, be managed for the public benefit and not for private profit? It is said that if you find yourself in a hole, quit digging. This is one place where literally we must quit digging. That is why today I have introduced, with a number of my colleagues, the keep it in the ground bill. A big thank-you to my cosponsors: PATRICK LEAHY, KIRSTEN GILLIBRAND, ELIZABETH WARREN, BERNIE SANDERS, BEN CARDIN, and BARBARA BOXER. That group of Senators are standing up and saying we must be responsible stewards of our ecosystem and particularly we must stop this global warming that is doing so much harm to rural America.

The bill does three things: It stops new leases and ends nonproducing leases for coal, oil, gas, oil shale, and tar sands on all Federal lands. It stops new leases and ends nonproducing leases for offshore drilling in the Pacific and the Gulf of Mexico. It prohibits offshore drilling in the Arctic and in the Atlantic.

This effort is a crucial component of good stewardship of our planet—really saving our planet. Our First Nations talk about thinking about the seventh generation. In a single generation, we have seen substantial impacts occurring right in our local communities. Every State can cite the impact. None of us is expecting that there is going to be quick action on Capitol Hill. It is grassroots organizing that came together and said we should not turn on the tap to the tar sands in Canada because it is the dirtiest oil on the planet. It is grassroots organizing that has come together and said that drilling in the Arctic is the height of irresponsibility. It is going to be grassroots efforts across this Nation that come together and say to us in the Halls of the Senate and the Halls of the House: Please act. Please exercise your responsibility as stewards of our planet. Please stop this egregious attack on rural America, on our forests, our farming, and our fishing—because on Capitol Hill, the voice heard right now is not the voice of common sense, it is not the voice of stewardship; it is the voice of those who own the oil and the coal who have invested massive amounts in the elections in the House and the elections in the Senate.

They have come up here and said they plan to invest nearly $1 billion in the 2016 election. The Citizens United court case has opened the door wide open to this corruption of common sense, this corruption of stewardship, this corruption of the democratic process. So it is going to be grossroots that make a difference, to rally, to keep it in the ground. This message is one that should be debated in every congressional campaign. It should be debated in every Senate campaign. It should be debated in the Presidency. It should be debated in December in Paris when nations comes together. It should be debated in other nations that have public assets, as they ask how are they going to be good public stewards, because we need the international community working together.

Yes, we can work on the demand side—fuel efficiency and better insulated buildings—but we need to work on the supply side of keeping fossil fuels in the ground as well. We need to attack this problem from every direction. In doing so, as we transition from a fossil fuel economy to a clean energy economy, we are going to create millions of good-paying jobs. In doing so, we need to make sure that in that transition we don't leave our workers behind.

Those working in the fossil fuel industry have spent their lives providing the energy that has fueled tremendous growth in our economy, often at the expense of their personal family health and their families well-being. So this must not be a green-versus-blue transition from fossil fuels to clean energy, but it has to be green and blue together, side by side fighting for the environment and fighting for our workers. We will not leave our workers behind.

It has been said that we are the first generation who feels the impact of global warming, and we are the last generation who can do something about it. So the choice is simple. Let us take on the climate challenge as policymakers and stewards. Let us take on the climate challenge fighting for rural America because of the terrible impact warming is having on our forests, our fishing, and our farms.

Let us make our Federal lands off limits. Let us do the smart thing. In terms of those Federal citizen-owned reserves of fossil fuels, let us keep it in the ground.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 305—COMMENDING AND CONGRATULATING THE KANSAS CITY ROYALS ON THEIR 2015 WORLD SERIES VICTORY

Mr. BLUNT (for himself, Mrs. MCCASKILL, Mr. ROBERTS, and Mr. MORAN) submitted the following resolution; which was considered and agreed to:

S. RES. 305

Whereas, on November 1, 2015, the Kansas City Royals won the 2015 World Series with a 7-2 victory over the New York Mets;

Whereas the Kansas City Royals won the World Series in Game 5 at Citi Field in New York City, New York;

Whereas the Royals scored 5 runs in the 12th inning of Game 5 of the World Series to take the lead and seal a dramatic win;

Whereas all 25 players on the playoff roster of the Royals should be congratulated, including Johnny Cueto, Wade Davis, Danny Duffy, Kelvin Herrera, Luke Hochevar, Ryan Madson, Kris Medlen, Franklin Morales, Yordano Ventura, Edinson Volquez, Chris Young, Drew Butera, Salvador Perez, Christian Colon, Alcides Escobar, Eric Hosmer, Raul Mondesi, Kendrys Morales, Mike Moustakas, Ben Zobrist, Lorenzo Cain, Jarrod Dyson, Alex Gordon, Paulo Orlando, and Alex Rios;

Whereas the front office, the clubhouse, and all supporting staff and team members of the Kansas City Royals should be congratulated;

Whereas the Royals won a remarkable 95 games during the regular season, which earned the team the best record in the American League;

Whereas the American League won the Major League Baseball All-Star Game, which ensured the Royals home field advantage for the World Series;

Whereas the Royals had 7 players selected to the 2015 Major League Baseball All-Star Game, who should be congratulated, including Alex Gordon, Lorenzo Cain, Alcides Escobar, Salvador Perez, Kelvin Herrera, Wade Davis, and Mike Moustakas;

Whereas the Royals earned a postseason berth by clinching the American League Central Division for the first time in team history;

Whereas the Royals earned a second American League Championship pennant in 2 years;

Whereas Royals catcher Salvador Perez received unanimous support for and won the World Series Most Valuable Player Award, after—

(1) hitting .364 in the World Series;

(2) driving in the tying run in the Royals' comeback in the ninth inning of Game 5 of the World Series; and

(3) sparking the Royals again in the 12th inning of Game 5 to seal the eventual win;

Whereas 8 of the Royals' 11 playoff wins came after trailing in the sixth inning or later;

Whereas 6 of the Royals' playoff comeback wins erased deficits of 2 runs or more, a playoff feat which had never been achieved before;

Whereas the Royals narrowly lost the 2014 World Series in Game 7, fueling a determination—

(1) to return to the World Series in 2015; and

(2) to accomplish what the team came so close to accomplishing 1 year earlier;

Whereas the Royals won their second World Series championship title in the 46-year history of the team and their first World Series championship title in 30 years, filling individuals in Kansas City and Royals fans everywhere with pride;

Whereas the Royals showed extraordinary steadiness, teamwork, focus, and love of the game in proving again to be an organization of great character, determination, and heart, a reflection of the city of Kansas City and the State of Missouri; and

Whereas the Kansas City Royals are the 2015 World Series champions: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Kansas City Royals on their—

(A) 2015 World Series championship title; and

(B) outstanding performance during the 2015 Major League Baseball season;

(2) recognizes the achievements of the players, coaches, management, and support staff of the Kansas City Royals, whose dedication and persistence made victory possible;

(3) congratulates—

(A) the city of Kansas City;

(B) the entire bi-state Kansas City metropolitan area; and

(C) Kansas City Royals fans everywhere; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the city of Kansas City, Missouri mayor, Hon. Sylvester ''Sly'' James;

(B) Kansas City Royals president Mr. Dan Glass and Kansas City Royals general manager Mr. Dayton Moore; and

(C) Kansas City Royals manager Mr. Ned Yost.

SENATE RESOLUTION 306—DESIGNATING THE WEEK BEGINNING NOVEMBER 2, 2015, AS ''NATIONAL APPRENTICESHIP WEEK''

Mrs. MURRAY (for herself, Ms. CANTWELL, Ms. COLLINS, Mr. SCOTT, Mr. BOOKER, Ms. AYOTTE, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. COONS, Mr. DONNELLY, Mr. FRANKEN, Mr. KAINE, Ms. KLOBUCHAR, Ms. MIKULSKI, Mr. PETERS, Mrs. SHAHEEN, and Mr. REED) submitted the following resolution; which was considered and agreed to:

S. RES. 306

Whereas a highly skilled workforce is necessary to compete in the global economy and to support economic growth;

Whereas the national registered apprenticeship system established by the Act of August 16, 1937 (29 U.S.C. 50 et seq.) (commonly

known as the ''National Apprenticeship Act'') (referred to in this preamble as the ''national registered apprenticeship system''), which has existed for over 75 years—

(1) is an important pathway for workers of the United States;

(2) offers a combination of—

(A) academic and technical instruction; and

(B) paid, on-the-job, training;

(3) provides workers of the United States credentials that are nationally-recognized and industry-recognized;

(4) leads to higher earnings for apprentices; and

(5) develops a highly skilled workforce for the United States;

Whereas registered apprenticeships—

(1) are becoming increasingly innovative and diverse in—

(A) design;

(B) partnerships;

(C) timeframes; and

(D) use of emerging educational and training concepts; and

(2) will continue to—

(A) evolve to meet emerging skill essentials and employer requirements; and

(B) maintain high standards for apprentices;

Whereas the national registered apprenticeship system provides education and training for apprentices in—

(1) high-growth sectors, including—

(A) information technology;

(B) financial services;

(C) advanced manufacturing; and

(D) health care; and

(2) traditional industries;

Whereas, according to the Department of Labor, the national registered apprenticeship system leverages approximately $1,000,000,000 in private investment, which reflects the strong commitment of the sponsors of the national registered apprenticeship system;

Whereas an evaluation of registered apprenticeship programs in 10 States conducted by Mathematica Policy Research in 2012 found that—

(1) individuals who completed registered apprenticeship programs earned over $240,000 more over their careers than individuals who did not participate in registered apprenticeship programs;

(2) the estimated social benefits of each registered apprenticeship program (including additional productivity of apprentices and the reduction in governmental expenditures as a result of reduced use of unemployment compensation and public assistance) exceeded the costs of each registered apprenticeship program by more than $49,000; and

(3) the tax return on every dollar the Federal Government invested in registered apprenticeship programs was $27; and

Whereas celebration of National Apprenticeship Week—

(1) honors industries that use the registered apprenticeship model;

(2) encourages expansion of the registered apprenticeship model to prepare highly skilled workers of the United States;

(3) recognizes the role the national registered apprenticeship system has played in preparing workers of the United States for jobs; and

(4) promotes conversation about ways the national registered apprenticeship system can continue to respond to workforce challenges in the 21st century: Now, therefore, be it

Resolved, That the Senate designates the week beginning November 2, 2015, as ''National Apprenticeship Week''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 4, 2015, at 10 a.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ''Zero Stars: How Gagging Honest Reviews Harms Consumers and the Economy.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 4, 2015, at 10 a.m., to conduct a hearing entitled ''U.S. Policy in North Africa.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 4, 2015, at 10 a.m. to conduct a hearing entitled ''The Value of Education Choices for Low-Income Families: Reauthorizing the D.C. Opportunity Scholarship Program.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 4, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT, AGENCY ACTION, FEDERAL RIGHTS, AND FEDERAL COURTS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts be authorized to meet during the session of the Senate on November 4, 2015, at 2 p.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled ''Justice Forsaken: How the Federal Government Fails the American Victims of Iranian and Palestinian Terrorism.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Peter Narby, be granted the privileges of the floor for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. Mr. President, I ask unanimous consent that Joshua Delaney, a staff member in my office, be granted floor privileges for the remainder of this session of Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL APPRENTICESHIP WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 306, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 306) designating the week beginning November 2, 2015, as ''National Apprenticeship Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 306) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, NOVEMBER 5, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, November 5; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 2685, with the time until 11 a.m. equally divided in the usual form; finally, that the cloture vote with respect to the motion to proceed to H.R. 2685 occur at 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:11 p.m., adjourned until Thursday, November 5, 2015, at 9:30 a.m.

EXTENSIONS OF REMARKS

GLOBAL ANTI-POACHING ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Ms. McCOLLUM. Mr. Speaker, illegal poaching has hit a crisis point for many of the world's most iconic species. Nearly 100 elephants are being slaughtered each day by ivory poachers. The black market sale of rhino horn and trafficking in infant gorillas is driving these species to the brink of extinction. H.R. 2494, the Global Anti-Poaching Act, takes critical steps to strengthen the punishments for poaching and wildlife tracking.

The United States is a leader in the fight to protect endangered and threatened species around the world, and this legislation continues that legacy. This bill will ensure that the full strength of the U.S. criminal justice system can be brought to bear against those who seek to kill, trade, or otherwise profit from the furs, pelts, skins, or other body parts of protected species. The profits from this illegal trade are often used to fund terrorist or criminal activities, making the tougher enforcements in this bill an issue of national security as well.

Additionally, this bill creates important partnerships with nations around the world to lend our country's expertise in countering wildlife trafficking to local law enforcement officials on the ground. By engaging partners across national boundaries, coordinating resources, and sharing intelligence, this legislation would make anti-poaching efforts around the world more efficient and more effective.

Poaching is a big business in the criminal world that threatens species across the globe. This legislation steps up America's efforts to ensure the protection of endangered species and crack down on this black market industry. I thank Mr. ROYCE, as the author of this bill and our founding co-chair on the International Conservation Caucus, for his leadership on this issue, and I urge my colleagues to support H.R. 2494.

HONOR OUR VETERANS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SESSIONS. Mr. Speaker, I rise today to honor the Men and Women of The Armed Forces. We give thanks to them and their families, who live and die and carry the burdens of war for all that we hold dear. Bless them. I submit this poem penned in their honor by Albert Carey Caswell.

Honor our Veteran's
One day is not enough.
Somehow one day of the year does not seem just.
Honor our Veteran's each day of the year
For they fight and die for all of us here
For all of those freedom's that we hold dear
Honor our Veteran's not one,
but every day of the year
For they are ones,
who must live with all of those tears
For all of their Brothers and Sisters In Arms they have lost here.
And who awake in the night with all of those nightmares.
Whose families who must now live in fear
Not knowing whose going,
or ever coming back here
Honor our Veteran's every day of the year.
For those are ones,
who must lay in hospital beds when its all said and done
With all of their families holding their daughters and sons.
And their Husbands and Wives.
The Greatest Loves of their lives.
So all in tears.
Teaching Us.
Beseeching Us.
All about honor and duty,
and courage so clear.
Who against all odds now cling to life here.
The ones who have died.
Who live without arms and legs as they try.
With scars on their faces
And all places
Living in darkness losing their sight.
Carried with them for the rest of their lives.
Some how it does not seem right.
That we only take one day to make honor of them who fight the fight.
America's most magnificent of all lights.
Who give the greatest gifts of sacrifice.
Honor our Veteran's every day and night
I bid you to please
To fall to your knee's
And say a prayer of thanks for all of these
Buy them a drink.
Buy them a meal.
Put your arm around them and let them know how you feel.
Go up to them and their families,
and tell them how much they mean.
Because all that they ask.
Are these two words from yours lips to so pass.
Thank you.
Yea, one day not enough.
For all of our freedoms of which they bought.
One day just somehow does not seem just.
For all that they've taught.
Honor our Veteran's every day of the year.
Say a prayer of thanks,
and for them and their families shed a tear.
Honor our Veteran's every day of the year.

HONDURAN CIVIL SOCIETY DEMANDS INDEPENDENT INTERNATIONAL COMMISSION TO INVESTIGATE AND END CORRUPTION AND IMPUNITY

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. McGOVERN. Mr. Speaker, in September I traveled to Honduras as part of a fact-finding delegation organized by the Washington Office on Latin America. Everywhere we went we heard about people's concern over endemic corruption and impunity.

An unprecedented citizens' movement has inspired thousands of Hondurans to take to the street in peaceful protest marches demanding that Honduras establish an international, independent commission with the mandate to investigate crimes of corruption and impunity and the ability to participate in their prosecution. This type of a commission is modeled on the successful work over the past decade of the "CICIG" in Guatemala.

This movement is called the "outraged opposition," or "Oposición Indignada." They are led, in large part, by an intelligent, thoughtful and politically diverse group of young people who organize using social media and who have come together because of their shared desire to end corruption in their country. They now face constant threats for their initiative, and I hope that the Honduran government will ensure their protection and investigate the threats against them so that they may continue to exercise their basic rights to freedom of speech and association.

On September 28th, the Organization of American States presented to the Honduran president a proposal for a commission that would help the notoriously weak Honduran judicial system to gain capacity to carry out its responsibilities. Regrettably, I believe this proposal falls woefully short of what is required to break the culture of corruption and impunity that so characterizes the Honduran State. As we learned from Guatemala, to successfully bring to justice those who benefit from corruption and impunity, a commission must be truly independent with a mandate to investigate exemplar cases wherever the evidence warrants and participate in the prosecution of those cases under national law.

Last week, on October 28th, a broad coalition of Honduran civil society, the Coalition Against Impunity, issued a statement declaring that the mission proposed by the OAS and the government is itself an obstacle to creating a genuine, independent commission that can truly tackle the rampant corruption and impunity in Honduras. Earlier, on October 4th, the "Indignados" issued a similar critique, pointing out the weaknesses of the OAS proposal to independently investigate crimes of corruption and ensure their prosecution.

Mr. Speaker, I would like to submit a copy of the letter addressed to the OAS by the Oposición Indignada that outlines their concerns with that proposal. It is my hope that the OAS will listen seriously to this unprecedented citizens' movement and ensure that any commission that comes into being in Honduras will be truly politically and financially independent, and have the mandate to undertake independent investigations into crimes of corruption and impunity and ensure their prosecution.

(English translation of the letter written in Spanish is as follows:)

TEGUCIGALPA, HONDURAS,
4 de octubre de 2015.

Mr. LUIS ALMAGRO,
Secretary General of the Organization of American States (OAS), Washington, DC.

We respectfully write to you to provide an official response to the proposal made by the Organization of American States (OAS) to create a ''Support Mission against Corruption and Impunity'' or ''MACCIH'' in Honduras. We consider the proposal to contain many weaknesses and insufficient to combat corruption in Honduras.

The weaknesses we see in the proposal include:

1. It lacks an independent and impartial investigative unit capable of carrying out investigations of cases of corruption. Such a unit needs to be financially and politically independent and be comprised of international investigators and lawyers who can work with national prosecutors in the prosecution of high-level corruption cases.

2. The recommendations that will flow from the evaluations to be carried out by the MACCIH are not binding. It is essential to ensure the legal commitment of the Honduran government to implementing the recommendations. Recent history has shown that the government of Honduras often fails to comply with the recommendations of international bodies. An illustrative example was the failure to comply with the 47th recommendation of the Truth and Reconciliation Commission which called for the creation of an International Commission against Impunity in Honduras.

3. Since 1998, Honduras has participated in three of the four rounds of the MESICIC (Follow-up mechanism for implementations of the Inter-American Convention Against Corruption. Despite this participation, the country is in a state of deep social crisis with endemic levels of the corruption and impunity [and so the proposal to develop a plan for implementing the MESICIC does not seem likely to lead to action.]

4. The presentation of bi-annual reports by the Secretary General of the OAS represents an unnecessary delay in addressing the impunity and corruption crisis.

Considering these weaknesses, any proposal intended to lead to real results in the fight against corruption needs to have at least two essential components:

1. A politically and financially independent investigative unit able to initiate and help prosecute high-level corruption cases.

2. A mechanism by which recommendations have a binding character in order to ensure the implementation of reforms to our justice system.

If the OAS proposal fails to include the characteristics needed to make a valuable contribution to the corruption and impunity crisis in Honduras, we will ask the international community not to support the proposal financially or politically. We need a proposal that can help bring about changes in our society; we want justice and democracy.

CITIZEN MOVEMENT
''OPOSICIÓN INDIGNADA,''
PAUL EMILIO ZEPEDA,
GABRIELA LILIANA BLEN,
MARCELA ALEJANDRA ORTEGA,
ARIEL FABRICIO VARELA.

TEGUCIGALPA, HONDURAS,
4 de octubre de 2015.

Sr. LUIS ALMAGRO,
Secretario General de la Organización de Estados Americanos Su despacho.

Nos dirigimos respetuosamente a usted a fin de señalar nuestras observaciones a la propuesta generada por la Organización de Estados Americanos (OEA) ante la crisis social provocada por las altas tasas de corrupción e impunidad que aquejan al Estado de Honduras, propuesta denominada ''MACCIH'', misma que cuenta con una serie de debilidades que nos preocupan seriamente como herramienta para luchar contra la corrupción y la impunidad en Honduras, subrayando:

1. No cuenta con un ente independiente e imparcial de investigación de los casos de corrupción. Es de vital importancia contar con una unidad con independencia presupuestaria y jerárquica donde investigadores y abogados internacionales junto con fiscales hondureños de reconocida capacidad puedan realizar la investigación y judicialización de actos de corrupción.

2. Las recomendaciones producto de los diagnósticos a realizarse no tienen carácter vinculante. Es necesario que exista obligación por parte del Estado de Honduras para el cumplimiento de las recomendaciones a través del documento legal pertinente, la historia reciente ha demostrado que el Gobierno de Honduras no cumple las recomendaciones de organismos internacionales, resaltamos como ejemplo la recomendación numero 47 de la Comisión de la Verdad y Reconciliación, que expresaba el establecimiento de una Comisión Internacional Contra la Impunidad en Honduras, hecha pública en Tegucigalpa, el 7 se Julio de 2011, en acto al cual asistieron el presidente de dicha comisión, Sr. Eduardo Stein, el Secretario General de la OEA en ese momento Sr. Jose Miguel Insulza y el entonces Presidente de Honduras, Sr. Porfirio Lobo Sosa.

3. Los resultados de la participación de Honduras desde 1998 en 3 de las 4 rondas del MESICIC, es un estado en crisis profunda de Impunidad y corrupción consecuencia de lo sēnalado anteriormente, por la falta de voluntad de los gobernantes en el cumplimiento de recomendaciones no vinculantes.

4. La creación de informes de manera semestral al Secretario General de la OEA para señalar obstáculos no resueltos por el enlace de gobierno, representa una dilatación enorme a la solución de la crisis de impunidad y corrupción en Honduras, sobretodo porque al carecer de vinculación el obstáculo no podrá resolverse aún este se vea reflejado en dichos informes.

En vista de lo anteriormente expuesto, consideramos que toda propuesta que busque resultados reales en la lucha contra la corrupción, debe contar con dos elementos esenciales:

1. Un ente de investigación independiente política y económicamente, que se encargue de esclarecer y llevar a juicio a los implicados en los casos de corrupción que sacuden nuestra sociedad.

2. Carácter de cumplimiento obligatorio a las recomendaciones que resulten de los diagnósticos al Estado de Honduras, si no hay una obligación no hay seguridad que las recomendaciones se ejecuten y por consiguiente la crisis continuara.

En caso de que esta iniciativa no logre implementar características que le permitan aportar a resolver la crisis de Impunidad y Corrupción que enfrenta Honduras, rechazamos formalmente dicha propuesta.

Finalmente, señalar que la propuesta de una Comisión Internacional Contra la Impunidad (CICI) se mantiene vigente como una herramienta eficiente y como un caso de éxito internacionalmente comprobado, ya que cuenta con características de investigación y fortalecimiento de las capacidades nacionales para la lucha contra la Impunidad y Corrupción, en contextos institucionales similares a los que tenemos en Honduras, a diferencia de la denominada MACCIH que aun es solo un ensayo no comprobado y que carece de las características previamente señaladas.

Sin otro particular y expresando nuestras más altas muestras de respeto y estima, nos despedimos de usted.

Atentamente,

OPOSICIÓN INDIGNADA,
PAUL EMILIO ZEPEDA,
GABRIELA LILIANA BLEN,
MARCELA ALEJANDRA ORTEGA,
ARIEL FABRICIO VARELA.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, yesterday, on Tuesday, November 3, 2015, I recorded an erroneous vote on the amendment offered by Mr. RIBBLE of Wisconsin. I intended to vote ''no'' on roll call vote No. 588, on agreeing to the Ribble Amendment to H.R. 22.

IN RECOGNITION OF JEAN MRASEK

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SESSIONS. Mr. Speaker, I rise today to recognize the work of an outstanding Texan, Jean M. Mrasek, as she recently concluded her distinguished work as Chairman of the National Panhellenic Conference (NPC).

This conference represents 26 sororities with a member base of more than four million women at 655 campuses and 4,500 alumnae chapters in the United States and Canada. Sororities and fraternities are the largest values-based organizations on college campuses and among the most successful leadership development programs for college students. National sororities are the largest women's leadership organizations on hundreds of campuses and they continue to grow because of the value they provide in helping collegiate women become better scholars, leaders, and citizens.

As Chairman of NPC, Jean was a leading voice on contemporary issues of sorority life and for all collegiate women. As a proud University of Tulsa alumna and past national president of her sorority Chi Omega, Jean's unyielding passion for Greek life is reflected in her lifetime commitment to serving others. Under her leadership, NPC has increased their membership, developed a new visual identity as part of a new communications plan, created new forms of risk-management education, and furthered the organizational effectiveness of the sorority world, speaking for the interests of college women everywhere. Jean's long-term commitment to her Chi Omega chapter, its international organization, and the entire Greek community make her a role model for women who aspire to make a difference in the lives of other women.

I have personally had the opportunity to work with Jean over the years as she has come to Washington to tirelessly advocate for students across the country on issues ranging

from college affordability, improving student housing, preserving the vital role of charitable support for higher education, and fighting to make campuses safer for all students. Jean Mrasek has provided exemplary service in advancing the NPC's ability to positively influence the lives of so many collegiate women.

Mr. Speaker, I ask my esteemed colleagues to join me in wishing her all the best in her future endeavors.

HONORING MARIANO ULIBARRI, DIRECTOR OF THE LAS VEGAS PARACHUTE FACTORY

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to recognize Mariano Ulibarri, Director of the Parachute Factory of Las Vegas, for his outstanding work in youth community engagement.

Mr. Ulibarri is the founder of the Parachute Factory, a community makerspace that has quickly made itself a staple in the Las Vegas community. A makerspace is an area where individuals are able to congregate and engage in creative, do-it-yourself projects that provide beneficial skills and goods for their home communities. After hearing about ''Hacker Scouts,'' an Oakland, California based organization, Mr. Ulibarri was inspired to start a local chapter within the Las Vegas community. Guild #005 has provided the youth of Las Vegas with the opportunity to educate their fellow community members by hosting demonstrations with local groups such as woodworkers and through cultural skills workshops and a variety of other beneficial events.

The Parachute Factory works in partnership with the Media Arts/Tech Department at New Mexico Highlands University and the New Mexico State Library. This organization has been recognized by esteemed entities, such as Harvard University's Graduate School of Education, for its innovative approach and effective practices toward progressive community engagement and learning. At a time where our country needs to invest in more Science, Technology, Engineering, and Math (STEM) education and skill building for youth, minorities, and women, the Parachute Factory stands as a shining example for others to emulate. Mr. Ulibarri is currently in Washington, D.C. attending the ''National Science Foundation's 2015 Maker Summit.'' His organization is among 30 groups selected from across the nation that will have the distinct honor of presenting about their charitable work.

I applaud Mr. Ulibarri's service to the community and efforts to provide mentoring and learning opportunities for young, tech savvy children. I congratulate Mr. Ulibarri and the Parachute Factory, and thank the entire organization for its exceptional service to our community.

EXPRESSING CONCERN WITH FINANCIAL TRAPS AIMED AT VETERANS

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. JUDY CHU of California. Mr. Speaker, I rise today to speak for veterans as we approach Veterans Day this year. These brave men and women risked their lives to protect us all. Yet, today we have companies actively preying on veterans. This is appalling and needs to end.

Some of the worst offenses come from payday lenders. Payday loans are high-cost, small-dollar loans, averaging $300 per loan. What makes these loans so dangerous is that they have average interest rates in the triple digits—at times as high as 391 percent. If at the end of the loan period, which typically spans two weeks or the next payday, the borrower cannot pay it off, he or she will be forced to take out another loan to pay off the first loan in addition to the exorbitant accumulated interest. This is the beginning of a cycle of debt.

Veterans are highly susceptible to these practices and have become a customer base for these loan schemes. In fact, payday lenders have been known to set up around military bases. In 2006, Congress passed the Military Lending Act to cap interest rates for military loans, but even so, these lenders find ways to exploit servicemembers, veterans, and military families. One study found that 10 percent of veterans leave military service with more than $40,000 in debt. If our men and women heed the call to defend our country, they should not be led to financial traps that could prevent them from transitioning to civilian life successfully.

This Veterans Day, I stand with veterans and urge both the private lending sector and Congress to do more to protect our veterans, who deserve our utmost respect.

HONORING THE ZARZYCKI MANOR CHAPELS ON THEIR 100TH ANNIVERSARY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to extend my congratulations to the Zarzycki Manor Chapels as they commemorate 100 years of dedicated service to the people of Chicagoland.

For a century, Zarzycki Manor Chapels has stood as a pillar of support for Chicagoland families in their times of hardship and grief. The Zarzycki Manor Chapels' motto is ''Modern Service with Traditional Dignity.'' By treating every family with care and respect, the Zarzycki family has earned the admiration and gratitude of the community.

Zarzycki Funeral Home was founded in 1915 by Ms. Agnes S. Zarzycki; a Polish immigrant and the first woman funeral director of Polish descent in Chicago. Ms. Zarzycki and her husband Stanislaw ran the funeral parlor out of their home throughout the early years of the business. Early on they withstood hard times and remained dedicated to helping grieving families throughout the influenza epidemic. After Stanislaw's death in 1927, Agnes continued to run the Zarzycki Funeral Home through the Great Depression.

Agnes and Stanislaw had five children. Their son Casimir took over the business and expanded it, creating the Zarzycki Manor Chapels. After many successful years, Casimir turned the business over to his son, Richard. Richard and his wife Charmaine worked together at the Zarzycki Manor Chapels for over 35 years.

In 2006, Richard passed away leaving the business to Charmaine and their two daughters, Claudette and Andrea. As third and fourth generation female funeral directors, they admirably uphold the founder's legacy of strength, independence, and hard work.

Today I ask my colleagues to join me in recognizing the 100th anniversary of the Zarzycki Manor Chapels and honoring the Zarzycki family for the care and comfort they provide to so many in the community.

THE GOFFSTOWN GRIZZLIES FOOTBALL TEAM

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. GUINTA. Mr. Speaker, I rise to salute the Goffstown Grizzlies football team in New Hampshire's First District. The Grizzlies, representing Goffstown High School with just a thousand students, have an amazing story of perseverance and achievement.

Thanks to their coach, the team qualified for a Division 3 championship a few years ago and advanced to Division 1, the toughest in the Granite State. Even their fans thought competing at that high level would be a tall order.

The Grizzlies are undefeated this season. They enter Saturday's Division 1 playoff game ranked number one. It will be their first home playoff game. And they got there with exciting defense and special teams play, blocking punts and returning kickoffs for touchdowns.

They have the Granite State's fiercest linebacking crew and the sack leader. Their kicker boots 45-yard field goals, helping his team to average more than 42 points a game. The running back rushed for a thousand yards this season and scored over twenty touchdowns. The Grizzlies have New Hampshire's most potent passing attack.

Their spirited fans make it easy to be a Grizzlies fan, not that you'd need any more reason to like this impressive team of underdogs, who take on the Second District's North Nashua Titans this weekend.

I wish both teams well but the Grizzlies a little better.

HONOR VETERANS BY STOPPING THE DEBT TRAP

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. LOFGREN. Mr. Speaker, in honor of Veterans Day next week I would like to speak-

out against predatory lending practices that target our nation's veterans. Earlier this year, the Department of Defense finalized its rules under the Military Lending Act that would protect our service members and their families from the endless cycle of debt frequently created by payday loans.

However, the MLA does not provide these same protections to those brave women and men who have already served their country. There are already many challenges for veterans reentering civilian life. The threat of being taken advantage of by unscrupulous lenders does not need to be added to the list.

It is within the Consumer Financial Protection Bureau's authority to protect our veterans from the predatory payday lending industry. They must act to end the dangerous payday loan debt trap by creating strong consumer protections and encouraging innovative alternatives for veterans who need short-term, emergency loans to make ends meet.

It is my hope that the CFPB will make this issue a priority and quickly provide the financial protections our veterans deserve.

RECOGNIZING LANCE CORPORAL BRANDON RUMBAUGH FOR RAISING AWARENESS FOR OUR NATION'S HOMELESS VETERANS

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Lance Corporal Brandon Rumbaugh for his service to our country and his dedication to raising awareness for our nation's homeless veterans.

Following two combat deployments and the loss of his legs in the line of service in Afghanistan, Brandon has begun a remarkable campaign to raise awareness about the difficulties many veterans face after returning home from deployment, namely homelessness. On November 1, 2015, the anniversary of his injury, Brandon started his journey to advocate for homeless veterans by living exclusively on the streets of Uniontown for the month.

Through his efforts, Brandon hopes to raise awareness and educate the public about the challenges and employment needs veterans face when they come home. It is my privilege to help Brandon bring awareness to this issue, as the plight veterans face continues to go unaddressed in many places across the country.

Today I am honored to thank Brandon for his service to our nation as well as his dedication to his fellow veterans. He is hero and a role model for all of us. Furthermore, I am hopeful his efforts will help illustrate the necessity for continued local, state, and national responses to the needs of our veterans.

IRANIAN HOSTAGE CRISIS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. POE of Texas. Mr. Speaker, November 4th marks the anniversary of an important date in U.S.-Iranian relations.

On this date in 1979, only a few months after the Shah was deposed and the radical, anti-American, Islamist Ayatollah Khomeini was placed in power, a group of young Islamic revolutionaries made their anger with the United States known to the world.

The group stormed the U.S. Embassy in Tehran and took over 60 American hostages. The revolutionaries were angry about President Carter's decision to allow the recently ousted Shah into the U.S. for cancer treatment and general American interference in their affairs.

Hostages were blindfolded, bound, beaten, sometimes tortured, subjected to solitary confinement and unsanitary conditions, and even underwent mock executions.

Richard Morefield, the Consul General of the U.S. Embassy in Tehran recounted that he was subjected to three mock executions, the first being on his second night in captivity.

He was awakened in the middle of the night, herded into a van with other hostages, driven somewhere, dragged into a shower room, seated on a bench, and made to think he would die there and then.

Al Golacinski, John Limbert, and Rick Kupke were also subjected to mock executions. They too were awakened in the middle of the night, forced to remove their clothing, blindfolded and marched into a basement where the callous guards made it seem they were about to be executed by firing squad. The guards pulled their triggers to their unloaded weapons and laughed.

These hostages lived in emotional and physical turmoil for 444 days.

Though 13 of the hostages were released after a short time, diplomatic means to free the rest of the hostages failed. President Carter tried to build pressure through economic sanctions and frozen assets.

Then, Ronald Reagan was elected president. Minutes after his inauguration, the Iranians freed the remaining hostages.

This event left a lasting impression on American foreign policy.

Sanctions that began as a result of the Iranian hostage crisis increased over 36 years as Iran built up its illegal nuclear weapons program, conducted terrorist attacks against innocent civilians around the world, and violated the human rights of its own people.

That is until President Obama decided to ease sanctions on this enemy nation as part of a disastrous new "deal." On this November 4, 36 years after the start of the hostage crisis, we have not forgotten. And, we have not forgiven.

And that's just the way it is.

RECOGNIZING KIN ON FOR THEIR 30 YEARS OF SERVICE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to recognize the Kin On organization and its thirty years of service to the senior citizens of the Seattle area.

From the beginning, Kin On has been an important part of our community and has been integral to serving seniors with respect and dignity. Through their provision of health, social, and education services, Kin On encourages Asian adults and seniors to remain mentally, physically, and socially active. Programs like these are models for other care facilities, as they keep seniors engaged and healthy in comprehensive and culturally sensitive ways.

It is also encouraging to know that Kin On will expand its services and facilities in Seattle, expanding their capacity to serve the community. I am confident that the addition of a community center, assisted living, and adult family home—as well as a short-term rehab and sun room—will greatly enhance the experiences of those who benefit from Kin On's wide array of services.

Once again, I want to thank Kin On for its service and congratulate them on thirty years of hard work and success in serving our senior community. I look forward to hearing about their future accomplishments.

CONGRATULATING SHERRY LEVESQUE ON HER 40-YEAR BOWLING CAREER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. LONG. Mr. Speaker, I rise today to congratulate Sherry Levesque of Springfield, Missouri, on her successful 40-year career of dedication to the growth of bowling in our community and to wish her a happy retirement.

Since 1996, Sherry has worked at Andy B's bowling lanes in Springfield, but has been around the sport in many capacities since 1975. In the early part of her career, she became the first woman to ever tally a 300 score at Hazelwood Bowl and was featured on television in competition at the old Arena Bowl. While her career as a competitive bowler is remarkable, however, it is Sherry's dedication to bring others into the sport that makes her truly unique.

After moving to Springfield in 1982, she began working at Walnut Bowl (now Lighthouse Lanes) building their junior bowling program. At that position, she also became the director of the Greater Springfield American Bowlers Congress and Greater Springfield Women's International Bowling Congress. Then, she started more youth programs upon moving to Century Lanes in 1987, which ultimately earned her a distinguished service induction into the Springfield Women's Bowling Association in 1994. Around the same time, she was named president of the Missouri State Youth Bowling Association.

After being named General Manager of Andy B's in 1997, she continued cultivating the area bowling community and was named Manager of the Year by the Bowling Proprietors Association of America in 2012.

Mr. Speaker, I extend my appreciation to Sherry for the invaluable positive impact she has made on so many young people in my district, and wish her a happy—and well-earned—retirement. The way in which she used her passion of bowling to touch so many lives for the better truly serves as an example of the human spirit we can all learn from and makes me proud to represent her and the rest of Missouri's Seventh Congressional District.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,492,091,120,833.99. We've added $7,865,214,071,920.91 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING HABITAT FOR HUMANITY OF TACOMA AND PIERCE COUNTY FOR THEIR 30 YEARS OF SERVICE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Habitat for Humanity of Tacoma and Pierce County for their thirty years of invaluable housing assistance and support to families throughout our region.

Since 1985, this organization has been dedicated to building quality and affordable housing for families from all walks of life, offering an opportunity for families who are otherwise unable to obtain proper financing to achieve their dream of homeownership.

In order to qualify for a home, families must contribute five hundred hours on the construction of their or someone else's home, which in turn fosters a sense of ownership and a greater sense of unity in the community. In the last year alone, the organization built fourteen new homes and renovated almost a dozen others, providing a better living situation for over eighty adults and children.

This positive impact on the lives of families would not have been possible without the vision and devotion that Habitat for Humanity of Tacoma and Pierce County and its countless volunteers have shown. They have played a key role in making Pierce County a better place to live—both for their clients and the community at large.

Mr. Speaker, it is with great honor that I recognize the work of Habitat for Humanity of Tacoma and Pierce County on their thirtieth anniversary as a positive contributor to the community. Their commitment to lifting up the lives of so many Pierce County families over three decades is admirable and I look forward to their future positive impacts.

IN RECOGNITION OF THE 150TH ANNIVERSARY OF MONTGOMERY EMANCIPATION OBSERVANCES

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the 150th anniversary of the Montgomery community observing the signing of the Emancipation Proclamation which started on January 1, 1866.

On January 1, 2002, a historic marker was placed at One Court Square in downtown Montgomery to help highlight Montgomery's first observance. On January 1, 2016, the Emancipation Association of Montgomery will once again celebrate the signing of the Emancipation Proclamation.

Mr. Speaker, please join me in wishing the Emancipation Association of Montgomery as well as the City of Montgomery a memorable 150th anniversary celebrating the signing of the Emancipation Proclamation.

HONORING DRS. AZIZ SANCAR AND PAUL MODRICH

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate the University of North Carolina School of Medicine's Dr. Aziz Sancar and Duke University School of Medicine's Dr. Paul Modrich on receiving the 2015 Nobel Prize for chemistry.

This is a remarkable accomplishment for Drs. Sancar and Modrich and for the universities and researchers who support their work. As a UNC graduate and a former Duke professor, I am especially thrilled with the announcement.

Drs. Sancar and Modrich were awarded the prize in recognition of their work with Dr. Thomas Lindhal of Britain on DNA mismatch repair. The consensus of the scientific community is that this is critically important work that could pave the way for innovative new treatments for cancer and other diseases.

Dr. Aziz Sancar is the Sarah Graham Kenan Professor of Biochemistry and Biophysics at the University of North Carolina School of Medicine. A native of Savur-Mardin, Turkey and the first Turkish-American Member of the National Academy of Sciences, Dr. Sancar runs the Sancar Lab at UNC, directing the university's biomedical research. He has called North Carolina home since 1982, and he and his wife Gwen created the Turkish House in Chapel Hill and are spearheading efforts to create a permanent Turkish Center at UNC.

Dr. Paul Modrich is the James B. Duke Professor of Biochemistry at Duke University and a Member of the Duke Cancer Institute. He has been an investigator at the Howard Hughes Medical Institute for over 20 years. He heads the Modrich Lab, which has been responsible for a number of major innovations in cancer and biomedical research. He has been at Duke since 1976.

This announcement is another important reminder that Congress must renew its commitment to research and innovation. Roughly, two-thirds of our nation's basic research is directly supported by federal agencies. Federal funding from the NIH and CDC provides researchers with critical financial support, and it is one of the most important investments we can make both for public health and the economy. Biomedical research alone creates millions of jobs and adds two dollars to the economy for every dollar invested. We must reverse the shortsighted cuts to research funding imposed by Congress in recent years and once again make robust investments in the sort of research conducted by Drs. Modrich and Sancar.

I join with well-wishers from North Carolina and around the world to congratulate Dr. Modrich and Dr. Sancar on their historic accomplishment, and I am proud that these two world-class leaders in biomedical research call the Triangle home.

HONORING TURLOCK CITY MANAGER ROY WASDEN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Turlock City Manager Roy Wasden on his retirement; and to personally thank him for his many years of dedication and profound service to the Turlock community.

Joining the City of Turlock in June of 2009, Mr. Wasden took on the chief role of city manager and became responsible for the efficient and effective management of city services. Over the course of his career, Mr. Wasden has brought large corporations to Turlock and paved the way for countless new job positions for its residents. His exemplary customer service was vital to landing these new employers to the community.

Mr. Wasden was instrumental in the construction of projects that immensely benefited the City of Turlock including the new Public Safety Facility, the Carnegie Arts Center, the development of the Regional Transit Facility, and the construction of the new affordable housing project called Avena Bella, as well as the large upgrades to the Regional Water Quality Control Facility. These successful projects were achievements that have greatly and positively impacted the economic development in Turlock.

Leading the efforts to balance the City of Turlock's budget, Mr. Wasden has executed the task with efficient management and good planning. The city is fiscally sound and continues to provide a high level of service to the community.

Before Mr. Wasden's leadership role with the City of Turlock, he spent many years in a variety of public service positions, including more than 30 years working in law enforcement. In 2000, Mr. Wasden was sworn in as Chief of Police for the City of Modesto Police Department. In 2002, the Modesto Police Department was involved in the investigation of the infamous murder case of Laci Peterson, which gained national recognition. It was under Mr. Wasden's leadership that the department was credited for successfully handling this renowned investigation. He was an asset to the police department throughout the complex case.

Mr. Wasden's proudest accomplishment is the life he created with his high school sweetheart, Linda Wasden. They have been married for 40 years and together have been blessed with 7 children and 13 grandchildren.

Mr. Speaker, please join me in honoring Turlock City Manager Roy Wasden on his retirement and thanking him for his exemplary

leadership and service to the community of Turlock. We wish him continued success in his retirement and future endeavors.

RECOGNIZING SEED'S 40TH ANNIVERSARY

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor SouthEast Effective Development (SEED), a nonprofit from Seattle, Washington, on its 40th anniversary.

SEED was founded in 1975 with the purpose of revitalizing struggling neighborhoods in Southeast Seattle. During that time, many community members lacked access to much-needed resources and the area was riddled with deteriorating infrastructure. As a result, SEED made it their mission to improve the quality of life in Southeast Seattle through a series of economic development, housing, and cultural programs.

SEED is regarded by many as having been integral to rejuvenating one of the area's most historic business districts—Columbia City—and generating several other thriving commercial areas. Other projects have included the Rainier Valley Cultural Center, Rainier Valley Square, Washington Care Center, and The Dakota at Rainier Court. SEED's approach to economic development, which includes collaborations with the private sector, government, and non-profits, has proven to be a successful model. The result has been not only new commercial development, but also increased capacity in neighborhoods to lay the groundwork for future success.

The organization's housing programs have also had a tremendous impact, including the addition of over 1,000 affordable housing units for low-income families. In 2005, one of SEED's housing development projects won the Environmental Protection Agency (EPA) Phoenix Award for its successful restoration of a contaminated building into a livable space. SEED is also credited for bringing the first medical clinic and the first senior living community to the area.

In addition, SEED has worked to cultivate a more active arts and cultural scene in Southeast Seattle. The SEEDarts program has remodeled several structures into art galleries and performing arts theaters, and organized cultural events that have become staple community activities. Through SEEDarts, as well as its other programs, SEED continuously strives to nurture a stronger sense of community in Southeast Seattle.

Mr. Speaker, it is with great honor that I recognize and congratulate SEED for its four decades of service to Southeast Seattle. SEED's enduring commitment to the strength and vitality of our community is truly admirable, and I look forward to hearing about their future successes.

IN RECOGNITION OF MR. CARLOS LEON-CAMPOS' RETIREMENT FROM THE OFFICE OF THE CAO

HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. BEYER. Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Carlos Leon-Campos of Arlington, Virginia, on the occasion of his retirement on November 13, 2015 after more than 31 years of service to the United States House of Representatives.

Carlos Leon began his career with the House in September 1984 as a File Clerk for Congressman Bill Nichols (D–AL). Simultaneously, he held a patronage job operating the Member's elevator in the U.S. Capitol. It was while working this distinguished position that he had the occasion to meet several high-profile individuals. He greeted Tip O'Neill on arrival every day with his customary cigar. He was lucky enough to meet other notables such as Margaret Thatcher, Mikhail Gorbachev, Actor Telly Savalas, and former U.S. President, George H.W. Bush.

Carlos transitioned to work for the Clerk of the House, the esteemed Donnald K. Anderson, in 1991. He truly enjoyed working for Mr. Anderson, but when the Republicans won the House in 1995, a Chief Administrative Office (CAO) was established. Carlos went on to work for Scott Faulkner, Acting CAO, and Jeff Trandahl, Clerk of the House, and in 1997, settled into the job as Inventory Account Counselor under CAO Jay Eagen. He received the Distinguished Service Award, the highest honor given by the CAO, for his exemplary service to the Office of the CAO.

He was promoted to Supervisor, Inventory under the Asset Management department, and quickly rose to Manager, Inventory for Logistics & Support under CAO Dan Strodel. Most of his career has been spent working for the Logistics & Support Department under various CAOs. After 25 years with one organization, he recently received the Employee Length of Service Award given by the House Officers.

Carlos reported to the Assistant CAO, Cam Arthur, for many years. However, most recently he has reported to Rhonda Shaffer, Director, and Tom Coyne, Chief Logistics Officer, of the newly formed Asset Management group. Carlos has always had an encyclopedic mind and knows massive amounts of historical knowledge of the House and its workings. He is beloved by his employees and they respect his leadership. His talents were recognized at a reception hosted by Ed Cassidy, CAO, on October 14, 2015, with a certificate and engraved pen, which acknowledged his contributions to supporting the new organization.

Some of his most memorable experiences in his time of working for the CAO include attending Ronald Reagan's Inauguration in the bitter cold and the Capitol Dome Tour, personally given by Congressman HARPER of Mississippi. He remembers that the view of Washington, D.C. from the Capitol Dome is breathtaking and unmatched.

In retirement, Carlos plans to move to Atlanta, Georgia, where he will pursue art and painting. He also plans to expand his hobby of attending estate sales, and to visit his family more often in Lima, Peru. Mr. Speaker, I ask my colleagues to join me in thanking Carlos Leon-Campos for his service and contributions to the U.S. House of Representatives. I want to thank Carlos Leon for his commitment to public service, and I wish him and his family all the best.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. TAKAI. Mr. Speaker, on Tuesday, November 3, 2015, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day.

Had I been present, I would have voted "no" on Roll Call 583, the Motion on Ordering the Previous Question on the Rule providing for consideration of House Amendments to Senate Amendments to H.R. 22.

I would have voted "no" on Roll Call 584, the Rule providing for consideration of the House Amendments to Senate Amendments to H.R. 22.

I would have voted "yea" on Roll Call 585, for H. Res. 354, expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe.

I would have voted "yea" on Roll Call 586, the Swalwell of California Part B Amendment No. 2 to Rules Print 114–32.

I would have voted "no" on Roll Call 587, the Gosar of Arizona Part B Amendment No. 5 to Rules Print 114–32.

I would have voted "no" on Roll Call 588, the Ribble of Wisconsin Part B Amendment No. 14 to Rules Print 114–32.

I would have voted "yea" on Roll Call 589, the Brown of Florida Part B Amendment No. 15 to Rules Print 114–32.

I would have voted "yea" on Roll Call 590, the Lynch of Massachusetts Part B Amendment No. 29 to Rules Print 114–32.

I would have voted "yea" on Roll Call 591, the Takano of California Part B Amendment No. 31 to Rules Print 114–32.

I would have voted "yea" on Roll Call 592, the Brownley of California Part B Amendment No. 32 to Rules Print 114–32.

I would have voted "yea" on Roll Call 593, the Radewagen of American Samoa Part B Amendment No. 34 to Rules Print 114–32.

HONORING JEFF SHIELDS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor South San Joaquin Irrigation District General Manager Jeff Shields on his retirement; and to personally thank him for his many years of profound service to South San Joaquin County.

While attending college at Humboldt State University, Jeff studied biological science and natural resources management and graduated with his Bachelor's of Science degree. He has also invested time serving our great nation in the U.S. Air Force.

Working as the general manager for other irrigation companies, such as Emerald Public

Utility District in Oregon and Trinity Public Utility District in Northern California, amply prepared Jeff for his extensive role at South San Joaquin Irrigation District. He began with the company in June of 2004, and after 3 short years was appointed as the general manager.

During Jeff's tenure with South San Joaquin Irrigation District, he was instrumental in implementing successful advances to the region. A solar farm was built to provide power to the Nick C. DeGroot Water Treatment Plant which supplies the drinking water to Manteca, Lathrop and Tracy at a minimum cost. In addition, an award winning, state of the art pressurized water delivery system was built called the Division 9 Irrigation Enhancement Project. This project has received numerous state, national, and international awards and recognition.

One of Jeff's most notable contributions was successfully getting the approval for South San Joaquin Irrigation District to become the retail electric provider in its service territory. Because of this accomplishment, all current PG&E customers in Escalon, Manteca and Ripon will see a 15% rate discount. This is a great triumph for the citizens of South San Joaquin County.

With California experiencing its fourth consecutive year in a serious drought, Jeff has expertly managed the irrigation district through its most difficult water delivery year in the district's history. He is implementing a succession plan that would assure a smooth transition to new management as they continue to work through the severe drought. Jeff plans on continuing his active involvement in water and energy issues.

Being involved in the community is important to Jeff, as he is a member of the Manteca Rotary Club and a director for the Give Every Child a Chance organization. He is on the board of The Utility Reform Network, as well as the board of the Local Energy Aggregation Network.

Mr. Speaker, please join me in honoring and commending the outstanding contributions made to the South San Joaquin County Irrigation District by the General Manager Jeff Shields. We wish him continued success in his retirement and his future endeavors.

RECOGNIZING HILARY STERN ON HER RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Hilary Stern, Executive Director at Casa Latina, on her retirement after twenty-one years of hard and dedicated work that has built opportunities and provided a voice for members of the Latino community in Seattle.

Prior to starting Casa Latina, a Seattle-based non-profit, Hilary sensed tension between the incoming Latino workers and the community at large. In response, Hilary founded Casa Latina in 1994 and began offering services on the sidewalks and in borrowed space. These services included English classes and educational street theater productions.

Despite the positive impact of these services, Hilary believed that Casa Latina could do more. This drove her to expand the scope of Casa Latina's services to also assist members of the Latino community to achieve greater economic gains and to participate to higher degrees in civic efforts. With this vision, Hilary was able to transform Casa Latina into a large, nonprofit social organization that focused on providing a variety of educational and economic opportunities for hundreds of Latino men and women living in Seattle. These services included its previous, traditional programs, along with others, such as day labor employment, workplace safety and job skill trainings, leadership development and dealing with issues of public policy that affect immigrant workers.

After two decades at Casa Latina, Hilary recently announced that a new Executive Director would take her place in early 2016. Despite moving on from the role of Executive Director, Hilary plans to continue to be actively involved in contributing towards building a better society for everyone both within and outside of Seattle.

Mr. Speaker, it is with great honor that I recognize and congratulate Hilary Stern on her outstanding work as Executive Director for Casa Latina.

RECOGNIZING SPRINGFIELD REMANUFACTURING CORPORATION FOR THEIR RECERTIFICATION AS A VOLUNTARY PROTECTION PROGRAMS STAR SITE

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. LONG. Mr. Speaker, I rise today in recognition of Springfield ReManufacturing Corporation's (SRC) employee owners, who have recently earned their workplace's recertification as a Voluntary Protection Programs (VPP) Star Site, making it their 20th consecutive year to be hailed with that commendation by the Occupational Safety and Health Administration (OSHA).

OSHA's VPP program encourages private industry and federal agencies to prevent workplace hazards by emphasizing better worker and management cooperation and analysis involvement. The program's goal is to achieve injury and illness rates that are below National Bureau of Labor Statistics averages for respective industries. A ''Star'' certification is the highest level of recognition OSHA offers, and denotes that a site has exemplary workplace standards and health management programs.

The employee owners at SRC have worked for many years to achieve this goal, and will be formally receiving their award this Friday, November 6, 2015, at a celebratory ceremony and luncheon.

Mr. Speaker, it is my pleasure to help recognize SRC for this great achievement and wish its workers a joyous and well-earned celebration of their success. The corporation's employee ownership, ''Open Book Management,'' philosophy has clearly payed off. This commendation is proof that their employees have made Missouri's Seventh Congressional district a better place to work and, in turn, a better place to live.

HONORING THE LEGACY OF PAUL JENNINGS

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. TOM PRICE of Georgia. Mr. Speaker, today I would like to speak about the unfortunate passing of a good friend, Paul Jennings. Having known Paul for years, including back in my time in the Georgia General Assembly, I know personally his hard work ethic and the legacy he will leave behind with those he's influenced.

After a successful marketing career in Manhattan, Paul came to the state of Georgia in 1970 to work for Decatur Federal Savings and Loan. During his two decades with the company, Paul helped Decatur Federal become a leading mortgage lender in Georgia from his position of Senior Vice President of Marketing. Paul was a leader of local and national marketing organizations, where he was able to be a mentor and role model to students and young professionals alike. From 1998 to 2002, I was able to serve alongside my friend, Paul, where he served in the Georgia State House of Representatives.

A man of Paul Jennings' integrity and compassion is hard to come by. In his free time, Paul served on the boards of the United Way, DeKalb Medical Center, arts groups, and other local nonprofits that continue to serve the people of Georgia, just as Paul did. On behalf of the Sixth District of Georgia, we extend our thoughts and prayers to Paul's wife Edna, his daughter Jan, and his sons Danny, David, and Tommy.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today regarding a missed vote on Tuesday, November 3, 2015. Had I been present for roll call vote number 585, H. Res. 354, Expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe, I would have voted ''yea.''

RECOGNIZING JILL WAKEFIELD ON HER RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Jill Wakefield, Chancellor of Seattle Colleges, on her retirement after her forty impactful years working in higher education throughout Seattle.

Prior to becoming Chancellor in 2009, Jill was already deeply involved in the Seattle's higher education community, having served in various capacities at South Seattle College (SSC) for more than thirty years. Jill began her tenure at South Seattle College as a program assistant in the Veterans office and her

hard work resulted in a series of promotions; culminating with her tenure as President. While leading South Seattle Community College, Jill oversaw the development of leading-edge programs and upgrades to campus facilities.

Upon being named Chancellor of Seattle Colleges, Jill's focus shifted to increasing the number of four-year degrees available and leading a district-wide initiative to promote green and sustainable programs. She also facilitated numerous grants and initiatives that supported both student success and retention, such as the Bill & Melinda Gates Foundation's Pathway to Completion and the City of Seattle's Pathways to Careers grants. Her success as Chancellor was quickly recognized throughout the Seattle area when she was named a 2010 Woman of Influence by the Puget Sound Business Journal, and later as one of 2012's Most Influential People by Seattle Magazine.

Jill has devoted her time and expertise to other higher education organizations as well, including service on multiple boards for Seattle University and as President of the League for Innovation at SSC. Furthermore, she has served on the National Advisory Committee of Presidents for the Association of Community College Trustees and a variety of other boards that focused on not only improving higher education, but the general well-being of people throughout Washington State.

After six years of amazing work, Jill announced earlier this year that she would retire in June. Upon her retirement, Jill leaves behind a lasting legacy as the district's first female Chancellor. Despite her departure, Jill is confident in the foundation that has been created for Seattle Community Colleges in educating the workforce of tomorrow.

Mr. Speaker, it is with great honor that I recognize and congratulate Jill Wakefield on her retirement and outstanding work as the Chancellor for Seattle Colleges.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA MEDICAID REIMBURSEMENT ACT OF 2015

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Medicaid Reimbursement Act of 2015 as open enrollment begins this week for the Patient Protection and Affordable Care Act. That important legislation, among other things, expands eligibility for Medicaid to reduce the number of Americans without health insurance. My bill increases the federal government's reimbursement for a portion of the District's Medicaid costs from 70 to 80 percent. In 2012–2013, New York City, the jurisdiction that powers the economy of New York State, contributes a 20 percent share for Medicaid costs, while the state pays 33 percent, less than the District's federally mandated 30 percent contribution.

Medicaid is financed mostly by the federal government and the states. However, the District, a city with no state to contribute to it, must alone absorb the state portion of Medicaid. Thus, the District pays for 30 percent of Medicaid, more than any U.S. city. Considering the difference in the size of its tax base, the District should certainly contribute no more than the New York City contribution to Medicaid. Therefore, my bill would raise the federal contribution to the District's Medicaid program to 80 percent, equal to that of New York City.

Under the National Capital Revitalization and Self-Government Improvement Act of 1997 (Revitalization Act), Congress recognized that state costs are inappropriate for any city to shoulder. To address this unfairness to the District, the Revitalization Act transferred certain, but not all, state responsibilities from the District to the federal government, including the cost of prisons and courts, and increased the federal Medicaid reimbursement to the District from 50 to 70 percent, partially relieving this burden. The city continues to carry many state costs, however.

In 1997, a formula error in the Medicaid Disproportionate Share Hospital allotment reduced the 70 percent Federal Medical Assistance Percentage share, and, as a result, the District received only $23 million instead of the $49 million it was due. I was able to secure a technical correction in the Balanced Budget Act of 1999, partially increasing the annual allotment to $32 million from fiscal year 2000 forward. I appreciate that in 2005, Congress responded to our effort to get an additional annual increase of $20 million in the budget reconciliation bill, bringing DC's Medicaid reimbursements to $57 million, as intended by the Revitalization Act. However, this amount did not reimburse the District for the years the federal error denied the city part of its rightful federal contribution.

I urge my colleagues to join me in supporting the bill.

HONORING MR. TOM BORDEAUX

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Savannah Alderman Tom Bordeaux and his dedicated service to the Savannah City Council.

About seven months away from the end of his four-year term, Savannah Alderman Tom Bordeaux announced that he will not run for re-election. Mr. Bordeaux is serving the final year of his first term after defeating two opponents in 2012. As an alderman at-large, Post 2, Mr. Bordeaux's district covers all of Savannah. When he announced his candidacy in 2011, Mr. Bordeaux said his priorities included building unity and focusing on sound fiscal oversight.

Mr. Bordeaux grew up in Savannah and graduated from Savannah High in 1971. He then attended the University of Georgia where he received his bachelor's degree in 1975 and his law degree in 1979. Following school, Mr. Bordeaux returned to Savannah to practice law, and has continued to practice ever since. Before joining the council, he served eight terms from 1991 to 2007 in the Georgia House of Representatives. Mr. Bordeaux was also elected dean of the Chatham County legislative delegation. Although Mr. Bordeaux has decided to not seek re-election, he hopes to continue serving the community in other ways. Mr. Bordeaux says that his ticket to living in the Savannah area is to be involved, and that is exactly what he intends to do.

Mr. Speaker, it is my privilege to join Mr. Tom Bordeaux's colleagues, family and friends in honoring his many years of hard work and dedication to our community.

ACKNOWLEDGING MARTIN VAN BUREN SASSER, JR.

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge Mr. Martin Van Buren Sasser, Jr. of Tracy, for his outstanding military service as a World War II Bomber Crewman and his exceptional dedication to Southern Pacific Transportation Company as a longtime employee. The beloved husband, father, and community member passed away on October 27, 2015.

In Beatrice, Nebraska on June 9, 1924, Martin Sasser, Jr. was born to Martin and Leota Sasser. At the age of four, Martin and his family moved to Tracy, California, which became their lifelong hometown. He attended school in Tracy throughout his youth and graduated from Tracy High School in 1942. After his high school graduation, Martin became an employee of the Southern Pacific Transportation Company, which has played a vast role in railroad transportation since 1865.

After working on behalf of Southern Pacific, Martin enlisted in the U.S. Army Air Corps. He held numerous personnel positions, including that of tail-gunner and belly-gunner for the Boeing B–17 Flying Fortress during its World War II deployment. Martin completed thirty-five bombing missions out of England, towards targets residing in France and Germany and was involved in the first United States raid over Berlin. Martin also participated in one of the most notorious events of World War II, assisting in the D-Day bombing missions in support of the Normandy Landings.

At the end of World War II, Mr. Sasser returned to Tracy after passing through Fox, Oklahoma. During this passage through Oklahoma, he met his wife, Alice, whom Martin would return to Tracy with.

Once home in Tracy, Mr. Sasser returned to Southern Pacific Transportation Company, where he resumed working as a crew-dispatcher. After numerous years of diligent work, Mr. Martin Sasser retired as a Southern Pacific agent in 1984. Martin also developed and marketed a recreational balance board called the "Tilt-O-Bord." This device was not only creative, but highly enjoyable.

Martin's dedication to his community and fellow brothers and sisters in arms, both former and current, was evident through the work he did throughout Tracy. Mr. Sasser was an avid member of the James McDermott Post 172, the American Legion, Tracy Post 1537, and of the Veterans of Foreign Wars. Martin also participated in a vast number of Memorial Day and Veterans Day Services.

For a number of years, Mr. Sasser enjoyed his time entertaining hospital and rest home patients, as he was a skilled guitar, harmonica and mouth-harp player. Mr. Sasser was committed to his faith. He served as a charter member of the Grace Baptist Church and held

many positions within its congregation. Martin and his wife were able to invest their time traveling domestically and across the globe; visiting Europe, the Holy Land, Canada, and destinations throughout the United States.

The Sasser family was blessed with four children, including a daughter and three sons. The family has also been gifted with ten beautiful grandchildren and twelve great-grandchildren.

Mr. Speaker, please join me in honoring the life of the late Mr. Martin Van Buren Sasser, for his years of service and outstanding contributions to the community as well as our country.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. LARSON of Connecticut. Mr. Speaker, on November 3, 2015, I was not present for roll call votes 583 through 593. If I had been present for this vote, I would have voted: Nay on roll call vote 583, Nay on roll call vote 584, Yea on roll call vote 585, Yea on roll call vote 586, Nay on roll call vote 587, Nay on roll call vote 588, Yea on roll call vote 589, Nay on roll call vote 590, Yea on roll call vote 591, Yea on roll call vote 592, Nay on roll call vote 593.

RECOGNIZING THE TACOMA HOUSING AUTHORITY FOR 75 YEARS OF SERVICE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the Tacoma Housing Authority (THA) for its seventy-five years of service and stewardship in our community.

The THA was created in 1940 to respond to the overwhelming demand for rental housing in the Pacific Northwest. World War II created a high demand for citizens to serve their country as well as to work in factories and shipyards to assist the war effort. Tacoma faced an immediate shortage of housing for newcomers and their families, and the THA made it a priority to provide affordable housing during these turbulent times.

The Federal Government commissioned the design and speedy construction of large-scale housing developments throughout the Tacoma region. The THA managed Salishan, one of the largest housing developments with over 2,000 units. In coordinated efforts with the City of Tacoma and the U.S. military, the THA provided 3,723 housing units to individuals and families until the war ended in 1945. Salishan aged quickly during the post-war years, and by the 1990s, it needed significant renovations. In 2004, the THA received a $35 million HOPE VI grant from the U.S. Department of Housing and Urban Development for its reconstruction.

Today, the THA continues to provide housing assistance to over 12,000 individuals—roughly six percent of Tacoma's overall population. The majority of these persons are low-income families, children, seniors, or persons living with disabilities.

Mr. Speaker, it is with great honor that I recognize the work the THA has done for the Tacoma community. Their accomplishments and contributions to Washington State have helped to shape Northwest and I am confident that the THA will continue to be a positive contributor to the community in the years to come.

PERSONAL EXPLANATION

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. YOUNG of Indiana. Mr. Speaker, on roll call no. 586 I was unavoidably absent in the House chamber on Tuesday, November 3, 2015. Had I been present, I would have voted "No" on Roll Call Vote 586.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. WEBSTER of Florida. Mr. Speaker, on roll call no. 587 I was unavoidably detained off of the House floor. Therefore, I was unable to cast my vote on Part B Amendment No. 5 to Rules Print 114–32, which required the federal government to track the total number, cost, and time required for each environmental review of transportation projects when reporting the status of these projects to the public. Had I been present, I would have voted YES.

IN TRIBUTE TO FRED DALTON THOMPSON ''NOTED ATTORNEY AND ACTOR, WRITER, CHIEF COUNSEL FOR WATERGATE COMMITTEE, AND U.S. SENATOR FROM TENNESSEE''

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to Fred Dalton Thompson, a great American, a man who personified civility; a passionate advocate for good governance, fiscal responsibility, and national security; and United States Senator from Tennessee, who died on Sunday, November 1, 2015, in Huntsville, Tennessee at the age of 73.

Born to Ruth Inez and Fletcher Session Thompson on August 19, 1942, in Sheffield, Alabama, Freddie Dalton Thompson came from humble beginnings. After graduating from Lawrence County High School, Fred Thompson then entered the University of North Alabama, becoming the first member of his family to attend college. He later transferred to the University of Memphis, where he earned a dual degree in philosophy and political science in 1964 and won a scholarship to Vanderbilt University School of Law from which he graduated with a J.D. in 1967.

After his admission to the Tennessee bar and from 1969–1972, Fred Thompson worked as an Assistant United States Attorney where he successfully prosecuted bank robberies and other cases. In 1972, Fred Thompson managed the successful reelection campaign of U.S. Senator Howard Baker who brought him to Washington and appointed him Minority Counsel to the Senate Watergate Committee.

Fred Thompson has often been credited for formulating the question made famous by Senator Baker during the Watergate hearings: "What did the President know, and when did he know it?"

In addition to service as a United States Senator, Fred Thompson rendered valuable service to the public as Special Counsel to the Senate Foreign Relations Committee (1980–1981), Special Counsel to the Senate Intelligence Committee (1982), and Member of the Appellate Court Nominating Commission for the State of Tennessee (1985–1987).

In 1994, Fred Thompson was elected to the U.S. Senate in 1994 to fill the unexpired term of Senator Al Gore, who had been elected Vice-President and two years later was elected in a landslide to a full six-year Senate term.

During his eight years in the Senate, Fred Thompson served on the Committees on Finance, Government Affairs, and Intelligence. He retired at the end of his term in 2002 and resumed his career as film and television actor, starring for many years as Manhattan District Attorney Arthur Branch in the acclaimed television series "Law and Order."

Notable films in which Fred Thompson starred include "In the Line of Fire," "No Way Out," "Days of Thunder," "The Hunt for Red October," "Cape Fear," "Die Hard 2," "Class Action," and "Fat Man and Little Boy."

Mr. Speaker, I hope it is a comfort to Fred Thompson's widow, Jeri Kehn Thompson, and his surviving children, Freddie Jr. and Samuel, that so many persons are remembering Fred Thompson in their prayers and thoughts.

I ask that the House observe a moment of silence in memory of Fred Thompson, the distinguished U.S. Senator from Tennessee.

RECOGNIZING LORI PROVINCE ON HER RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Lori Province on her retirement after nineteen years with the Washington State Labor Council (WSLC), where she has worked tirelessly on behalf of workers in Washington State.

Prior to joining the WSLC, Lori had a strong background in the labor community. She served as a union representative for the Washington State Council of County and City Employees and for Service Employees International Union (SEIU) Local 120 in Everett.

Upon joining the WSLC in 1996, Lori worked in a variety of roles including as the Field Mobilization Director as a Dislocated Worker Labor Liaison where she provided layoff aversion services along with Trade Act and NAFTA petition development. Lori also handled outreach to inform dislocated workers about the employment and training services available through the Workforce Investment Act, along with representing their interests and beyond.

When Lori was appointed Field Mobilization Director in 2008, she supported and encouraged the participation of members from a wide variety of legislative and community programs. Her efforts were aimed at continuing the success of the WSLC's Labor Neighbor Political Program and tackling workforce training and apprenticeship issues. Lori has also been active in WSLC's Washington Industrial Safety and Health Act (WISHA) Monitoring Committee, as well as with several government task forces and councils focused on workforce development policies.

After years of tireless work, Lori announced earlier this year that she would retire in November. Despite her retirement, Lori plans on remaining active in labor causes and will no doubt continue to make a positive impact on our community.

Mr. Speaker, it is with great honor that I recognize and congratulate Lori Province on her retirement and her outstanding work in the labor community.

IN RECOGNITION OF DOUGLAS GILDNER'S SERVICE AS FIRE CHIEF OF THE CITY OF SOUTHGATE

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to honor the Fire Chief of Southgate, Michigan who is retiring this month after 27 years of service to the Southgate Fire Department, the last six as the City's Fire Chief.

Since he first started with the department in 1988, Doug has been known for being temperate and hard-working. These traits have earned him the credibility to be a consensus builder in the community and enabled him to navigate the department through good times as well as challenging times. Embodying the idea that hard work pays off, Doug has climbed the ranks in the department all the way to the top. Becoming chief in 2009, Doug's ability to build relationships with the other area chiefs has had a profound impact on strengthening morale and improving safety in the Downriver communities.

Doug has always been a member of the community first, and that's not going to change. He will continue to teach young firefighters at Schoolcraft College, preparing new teams of heroes to keep our communities safe. Doug serves as an excellent role model not only for these students, but in his newest and most important position: grandfather.

Mr. Speaker, I ask my colleagues to join me today to honor Chief Douglas Gildner for his twenty seven years of service and his lasting impact on the Downriver communities. I thank him for his leadership, and wish him many years of happiness.

HONORING BRAVE MEN AND WOMEN WHO HAVE SERVED OUR COUNTRY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today as we approach Veterans Day to honor the brave men and women who have served our country in uniform. Earlier this year I met with a group of young Iowans belonging to the Junior Optimists Club—they found a truly unique way to pay tribute to our Iowa veterans.

The Sidey family owned and published the Free Press in Greenfield, Iowa, for over 125 years. The Free Press would publish letters Iowa servicemen sent home to their families over the years. The Junior Optimists I met went through the Sidey's collection of soldiers' letters from World War II. They picked out the ones they found most interesting or compelling and read them aloud at a Flag Day celebration that I was fortunate to attend.

I want to share them here with my colleagues in the House of Representatives so that we and future generations may always remember the very real and human struggles our men and women face as they leave their loved ones behind to bravely serve our country with dignity, honor, and distinction.

Corporal Russell Smith, serving with the Army in North Africa, wrote the following letter dated May 23, 1943, to his sister:

Will write a few lines tonight to let you know I am getting along ok and hope this find you the same. We haven't been doing much since the war is over down here. Up to now we have been gathering and cleaning up all the German equipment that they left. There is everything from a rifle up to an airplane. Lots of tanks and big guns. They burned about everything though, so it isn't much good for anything except iron. I didn't know they had as much stuff in the whole German army as I've seen here in the last couple of weeks. Right now that is for a week. Believe it nor not, we are on a week's vacation on the beach of the Mediterranean. We have to do a little fishing in the forenoon but in the afternoon we can do anything we like, go boating, swimming, play ball or drink wine or just lay around and sleep. This probably isn't all as good as it sounds but it's sure a good break for after what we've been through. I've had some pretty good experiences or I might say not so good. We had everything from mortar shells to bombs dropped on us and sometimes I thought every Hynie in the German army was firing machine guns and rifles at us. We were pinned down several times, but the longest was one day when we were attacking a hill and pinned down about 6 in the morning and had to lay there all day with only a little bunch of grass in front of some of us, and some didn't even have that. Didn't hardly dare wiggle a finger or they would let go everything that they had, and I mean we didn't move until it got dark. Didn't take a drink of water or smoke a cigarette, and boy it was hot. Les was also in that same battle the day before. That's about all I can tell you about it so will call it enough.

The following are a few extracts from a letter written by Sgt. Ernest L. "Budd" Jenkins dated June 23, 1943 from Camp Shelby, Mississippi to his Aunt and Uncle—Mr. and Mrs. Charley Gillham.

I have a good excuse for not answering your letter sooner as I have been in the field on firing problems and naturally there is no way of writing letters while out in the woods. That's some life, setting our big guns in position and firing in the heat of the day about 102 all day long. Then black-out driving at pitch dark into another position to make a surprise attack on the enemy. When we finally slow up to see if we can get a few hours sleep we battle mosquitoes, insects, lizards and snakes and finally roll up in stubborn sleep, when bang "Fire Mission" and we roll out to produce fire from our guns. We like it and we'll do it until we're tops, so darn good that when we go over there well have Nazis and [Japanese] running in every direction. Look what the artillery did to the Germans over in Africa. I can't tell you how happy I am to do my bit. I'm only one in about 10,000 trying to get do my bit. I hope all of you are well and happy. I'd like awfully well to see you.

Write soon,

BUDD.

Private Floyd Stimen, September 11, 1943, while serving in Italy:

I sure will be glad when this war is over and everything is back to normal. Am pretty sure I am going out of the Navy for I want a normal home and a decent job and few of the things they are promising us now. All I have to say is that they better make those promises good. For these fellows are sure counting on it, and there will be enough of them to make it pretty hot if they don't make good on their promises. I am so damn tired of all this fighting when all you have to look forward to is going to sea again with duty 16 and 18 hours a day.

I guess my stay in the hospital has spoiled me. I know it softened me up a lot for I lost over 20 pounds but have started to gain it back again now. I kinda miss seeing all those good looking nurses around but I guess it's just as well for they had me spoiled. They are really a swell bunch of people. (1 in particular) for she always treated me well. She used to get me special food and ice cream, anything I wanted and the rest of the patients had to take what they got. I can tell you now, I am well and out of there but you about lost your "little boy Floydie" for a couple of times I about bled to death and they had to give me transfusions but that's all in the past and forgotten. I am going to take the nurse that was good to me out to dinner and a show Monday night to show my appreciation.

Well folks, I am about run down so will close for this time. I hope you are all ok. Write me at the new address. Tell everyone hello for me.

All my love,

FLOYD.

This letter was received by Mr. and Mrs. Charles Beaman of Canby, Iowa from Technical Sergeant Adam C. Wygonik of Chicago, who was brought back to the United States on the SS *Gripsholm*, concerning their son, Sgt. Howard Beaman, a prisoner of war in Germany.

SEPTEMBER 25, 1943.

I am a very good friend of your son, Howard. I've been in the same squadron with him and even flew him in the same ship. We were also in the same camp in Germany, and when I left the camp in August (to be repatriated) Howard was in the best of health and feeling like a million. He is getting your mail and parcels quite regularly now (even though it takes six months to get there) and he sure does enjoy them. All last winter Howard was my bridge partner and all summer long he has been pretty busy managing "Beaman's Demons" baseball team there in camp. I

hope to be seeing Howard again, and I hope you'll see Howard at home very soon.

A letter to Mr. And Mrs. James Kralik of Nevinville from their son Corporal Roy Kralik, then a German prisoner of war:

DEAR FOLKS:

I suppose you are wondering about our Christmas here. It was all real nice under the circumstances. Had the barracks all decorated and a tree for each. Really looked nice and the spirit was high. The Red Cross put out a special Christmas parcel along with the regular parcel, so we were able to have fruit cake, candy, all kinds of spreads and the like, along with our regular meals. Eight of us boys cooked up our meal together and had a nice time along with a good meal. DeWayne and I baked a bunch of cupcakes so along with them we had fruit cake, candy and coffee, mashed potatoes, fried prem, bread, butter, jam, peanut butter and biscuits. Had special church services, a camp show, and all in all, it passed my expectations by far. Here's hoping you all had a nice Christmas and that everyone is well. Had a letter from Colleen and some more from you.

Best wishes,

ROY.

The following are a few extracts from a letter written by PFC Gerald L. Corey while stationed at Nashville Tennessee, to his mother, Mrs. Fred Heuckendorg.

It snowed Monday. We were up at 6:00 and stood guard until the truck came to take us on a truck ride. We waited all day until 5:00 that afternoon. Couldn't have any fires and it was cold as the dickens. We started out on what was supposed to be 100 miles. About midnight our truck slid off into a ditch and we were there about three hours. Everybody was cold, tired, and hungry. We were a sad bunch. We reached Carthage, Tennessee, about noon. They sure have some hills here. The sun was shining and it was warm but muddy. Finally had a meal, not much I had some candy bars, they come in handy. Enemy planes were flying over us all the time, had to keep down, it seemed pretty realistic. We pulled out and started walking about 7:30, Tuesday night until 2 o'clock in the morning. We were warm while hiking but when we laid down it was cold: we rested until 5:30. The enemy were about 5 hours walk from where we were so we started walking again meeting the enemy about eleven o'clock Wednesday morning and drove them back into the hills. We walked again two miles into Hickman, Tennessee. The General stopped us there and said the problem was over, about four o'clock. We were served sandwiches and coffee. We couldn't get to our rest camp until Thursday a.m. We had to wait and our bed rolls hadn't come. It started to rain. We headed for farmer's barns, hog sheds, hen houses, etc. Our bed rolls came Thursday a.m. at 3:00. It continued to pour down. Everybody was soaked. Nobody pitched tents but went back to the barns. We had breakfast at 6:30. Our trucks didn't come and we stayed in the barns till 6 that night, then moved to town and slept in a warehouse, it was cold and damp. Our trucks didn't come when it stopped raining Friday morning so we moved to the top of a big hill and pitched tents for the night, first good night's sleep for nearly a week. We start out on another problem Monday morning. The colonel said it wouldn't be as bad as the last one. The colonel and the general praised us on the way we came through the problem as it was 4 times worse than they had expected. If you want to send me anything just make it anything to eat. A small truck came out from town with cakes, candy bars, and ice cream. Some scramble to get any of it! This is a wonderful life.

Love,

GARY.

Corporal John Gildemiester, Jr., son of Mr. and Mrs. J.H. Gildemiester, wrote from Iran.

Everything is still going swell. I have been in a hospital with an attack of appendicitis but recovered without an operation. I have had the pleasure of meeting an American missionary who has been here for twenty years. Have also seen several Biblical monuments which are real interesting.

In some parts of the country [there] are wheat fields, which are cut with a sickle and the bundles hauled home on mule's backs. They have a little machine with pointed wooden wheels which they run over the pile of bundles many times to thrash out the grain.

The bread is flat somewhat similar to rye crisp. I ate some fresh gazelle meat the other day, which was very good, however we do not have it very often. There is no steak to be had here at any price. We are unable to get any American station on the radio over here.

The following letter was received by Miss Elnora Smith of Orient concerning her brother, Sgt. Russell Smith, who was serving in Italy, and whose parents were dead.

FEB. 1, 1943.

MR. SMITH,

I do not know whether this letter will reach you or not as I do not know what your first name is but will try and see what happens. Your son, Sgt. Russell Smith, who is now serving with the armed forces in Italy and my son, Sgt. Ronald Greiman are very good friends so Ronald tells us. Now we have had three letters from Ronald today, saying he has been wounded in action somewhere between Dec. 25 and Jan. 10. He was hit by machine gun fire in his leg below the knee, and he said it was your son that helped rescue him. He said when he was hit in the leg and fell to the ground, he rolled himself down the hill or cliff and when your son, Sgt. Smith saw what happened, he ran to help him and carried him to safety under heavy machine gun fire. Then Sgt. Smith and another sergeant sent for some stretcher bearers and they carried our son 16 miles down the mountains till they came to a road where he could be hauled to some hospital. Sgt. Smith also bandaged his wounds as soon as he carried him to safety.

Now I want to tell you how grateful we are for what Sgt. Smith has done for our son, Sgt. Greiman, and when you write to your son, I wish you would mention this to him also. Ronald writes he has had his leg operated on and is getting along as well as could be expected. He says the doctors tell him that it will take 3 or 4 months to heal the wounds and 3 or 4 more months before he can get around on it. He also said he would be moved to Africa to some hospital there. Says his big worry now is wondering how his buddies are getting along that he left behind.

So we can see how these boys really get attached to one another. When you write to your son, I wish you would tell him how Ronald is doing and tell him that he was taken to Africa, then perhaps they can get in touch with each other. May God be with our sons and all other boys at the fighting fronts.

H.A. GRIEMAN.

Mr. Speaker, these are the words of brave men. And they ring as true today as they did over seventy years ago when they were written. They embody the ideals of this great nation and the ethos of our armed forces that have fought, sacrificed, and died for our country so that we can remain free.

Next week when we recognize these men and women on Veterans Day, look them in the eye and say "Thank You." They know all too well what the words in these letters mean. And for their bravery and sacrifices, they deserve our unwavering gratitude and respect. May God bless them. And may God bless these United States of America.

IN RECOGNITION OF TIM DURAND'S SERVICE AS MAYOR OF RIVERVIEW

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Tim Durand for his 20 years of service as mayor of Riverview, Michigan.

First elected to office in 1987, Tim served a total of six years on the city council before being elected mayor in 1995. He has faithfully and honorably represented the citizens of Riverview for over 26 years, and his retirement is a huge loss to many. He has helped build Riverview into a thriving community, spearheading many projects, including the Riverview Municipal Building and the municipal boat launch, tennis courts, baseball diamonds, extensive senior citizen organized activities and 12 public parks. Often seen riding his bicycle, Tim is well-known for engaging citizens all over the city. He inspires participation in community efforts and leads by example, regularly sponsoring charity and booster events in Riverview. His commitment to the community is only matched by his dedication to his wife and two children, who have graciously shared Tim with us for more than two decades.

Tim's positive impact on the community is not limited to the city of Riverview. He has been a pivotal member of the Downriver Community Conference, serving as a past chair of this important regional development organization. The Dean of mayors in downriver communities of Michigan, he served with over 100 mayors and supervisors from area communities during the time he was mayor. He was always supportive, kind, and encouraging. His dedication to regional cooperation has made our downriver communities safer, more efficient, and more prepared to deal with the challenges of the 21st Century.

Mr. Speaker, I ask my colleagues to join me today to honor Tim Durand for his 20 years of service as mayor of Riverview. I thank him for his leadership, and wish him many years of success.

TRIBUTE TO THE LATE HOWARD COBLE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with great sorrow that I acknowledge the passing of Congressman Howard Coble, but with great joy that I recall his storied career as a public servant, and with even greater joy that I recall our significant friendship.

Mr. Coble represented North Carolina's 6th Congressional District from 1985 until his retirement in 2015, making him the longest-serving Republican House member in the state's

history. I remember his leadership on the Judiciary Internet subcommittee, where he advocated for protecting online content and worked tirelessly to make illegal streaming a felony.

Though I disagreed with him often on policy, we became great friends, most particularly through our official travels. I am now occupying his former office in the Rayburn House Office Building. In public, Congressman Coble had a sterling reputation as a man of integrity and principle, a representative who stood by his commitments. In person, his deep character was outweighed only by his affability. Perhaps that is one of the reasons he became the longest-serving Republican in North Carolina history.

Mr. Speaker, tonight Congress has lost the presence of one of its most humble and hard-working representatives. Congressman Coble's loss will be deeply felt among many, but his work will not. His caring nature and hard work he possessed will live forever.

CONGRATULATIONS TO TUNISIAN NOBEL PEACE PRIZE WINNERS

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. PRICE of North Carolina. Mr. Speaker, as Ranking Member of the House Democracy Partnership, I rise today to recognize and congratulate the Tunisian National Dialogue Quartet for receiving the Nobel Peace Prize. This remarkable group of Tunisian leaders and advocates has worked tirelessly to transition their country into a robust democracy after the Jasmine Revolution of 2011.

The Arab Spring sparked hope throughout the international community at the possibility of a new day for democracy and human rights in the Middle East. Unfortunately, in many countries that underwent revolution, the hope of positive change has not come to pass. Tunisia, however, has made great progress, and the Tunisian people have had great success developing their own parliamentary democracy in the wake of the Arab Spring. Much of this progress is thanks to the work of The Tunisian National Dialogue Quartet.

The Tunisian National Dialogue Quartet is composed of four different civic groups: the Tunisian General Labor Union, the Tunisian Confederation of Industry, Trade, and Handicrafts, The Tunisian Human Rights League, and the Tunisian Order of Lawyers. These four organizations represent a broad coalition that has sought to create and sustain a new democracy. Throughout the process of adopting a new constitution, holding elections, and governing responsively, Tunisia has depended on the values of toleration and inclusion, and a willingness on the part of contending parties to forgo extreme or exclusive demands—exactly what the National Dialogue Quartet has espoused.

As a National Democratic Institute election observer, and working through the House Democracy Partnership, I was privileged to witness a product of the Quartet's work last year when Tunisia held its first successful presidential elections. The Tunisian people went to the polls proudly and peacefully, engaging in the building of a parliamentary democracy that has already achieved a substantial amount and shows great promise for the future.

To be sure, great challenges remain, and the international community, including the House Democracy Partnership, must continue supporting Tunisia in its first steps as a new democracy. As the Tunisian people work to ensure effective and open governance and functioning democratic institutions, they are fortunate to have the leadership of advocates like the National Dialogue Quartet.

IN RECOGNITION OF THE LIFE OF SIR MICHAEL BERRY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mrs. DINGELL. Mr. Speaker, on November 8th, I will attend the commemoration services for Sir Michael Berry; an icon and leader in the Michigan community. Michael Berry was a son, a devoted father, a loving husband, and a pioneer in the community.

Sir Michael Berry graduated from Fordson Junior College and Wayne College and in 1949, he became the first Muslim American to become a practicing attorney in the State of Michigan. He then formed a legal practice Berry, Hopson & Francis with his associates. In 1967, he won election to the Wayne County Road Commission, where he served for sixteen years, ten of which, he served as the chairman. Sir Michael Berry used his energy and enthusiasm to always give back to the community. He endowed a scholarship at the MSU College of Law, and he gave generously to so many of our great local universities, hospitals, and cultural institutions. Believing that education is a key to success, he was pivotal in the creation of the Michael Berry Career Center at the Dearborn Public schools and worked tireless to improve access to education for our children.

Sir Michael Berry gave so much to the community over the years, without ever asking anything in return for himself. His hard work and continuous involvement with the Detroit Metro Airport inspired the Airport Authority to name the Berry international terminal in his honor. He was awarded the Ellis Island Medal of Honor from the National Ethnic Coalition Organization and was given the Knight of the National Order of the Cedar of Lebanon which is considered one of the highest and most prestigious awards for his humanitarian aid to his homeland, and for which, he came to be called Sir Michael Berry.

Perhaps the most lasting legacy that Sir Michael Berry leaves is on the people he mentored and people he loved. He was an activist, a mentor, and advisor to many. He helped mold several generations of educators, elected officials, attorneys, and other professionals. In our community, he was considered an icon, but to his family he was known as a loving husband, father, brother, grandfather and great-grandfather. Based on the values of hard work, faith, and love, I know that his family will proudly carry on his legacy into the future.

Mr. Speaker, Sir Michael Berry lived a life worth celebrating. No words can ease the loss that is felt by his family or this community, but we take solace in the knowledge that his example will live on for many generations. I ask my colleagues today to honor Sir Michael Berry on his extraordinary life and accomplishments.

OUTSTANDING TEACHER IN KATY, TEXAS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Rebecca Lacquey of Katy High School for receiving the 2015 Outstanding Teaching of the Humanities Award.

Mrs. Lacquey is one of only twelve humanities teachers in all of Texas to receive this prestigious award. Her dedication to bringing history to life through unique methods such as role-playing and virtual field trips makes history more fun and relatable to her students. Mrs. Lacquey's methods continually enrich the lives of her students. Katy High School is lucky to have her. We wish her continued teaching success for many more years to come.

On behalf of the Twenty-Second Congressional District of Texas, congratulations once again to Mrs. Rebecca Lacquey for winning this Outstanding Teacher award.

HONORING RETIRED JUDGE JOHN McCANN, 2015 WESTBOROUGH GOOD SCOUT HONOREE

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. McGOVERN. Mr. Speaker, I rise today to honor retired Judge John S. McCann, who will be recognized at the 2015 Westborough Good Scout Award Dinner held by the Knox Trail Council of the Boy Scouts of America in Westborough, Massachusetts.

At the heart of the Scout Oath that Boy Scouts take is the pledge to 'help other people at all times.' Throughout his career, Judge McCann has been a shining example of this commitment to always serving others.

A resident of Westborough, Judge McCann is a graduate of the College of the Holy Cross in Worcester and the University of Vanderbilt School of Law in Tennessee. He and his wife Suzanne are active members of St. Luke the Evangelist Parish in Westborough, were foster parents for five years, and have three children, Sean, Gaylen and Aidan.

Judge McCann knew from an early age that he wanted to pursue a career in law. His first grammar school composition as a third-grader at the Blessed Sacrament School on Pleasant Street was titled, "Why I Want to Become a Lawyer."

Following law school, Judge McCann practiced law in California, Massachusetts, Rhode Island, and Maine. Judge McCann returned to Massachusetts in 1970 and has since resided in Westborough. Before he became a judge, he maintained law offices in Westborough and Worcester.

It wasn't until 1993 that he aspired to become a judge, when fellow members of the Worcester County Bar Association encouraged him to apply for the Westborough District

Court judgeship. He was appointed to the post by Gov. William F. Weld, and in 2000 was nominated by Gov. A. Paul Cellucci to the Superior Court bench. He then served as a Recall Judge for four years; and retired again in 2014.

Judge McCann has been an active member of our community through his work with Westborough Community Fund, Chamber of Commerce, Capital Expenditures Committee, Armstrong Jr. High Parent Association; Westborough Human Rights Council, Amnesty International, and Lawyers Against Nuclear Arms World Jurist Association. He was a member and officer of the Worcester Bar Association, Worcester Bar Advocates, Worcester Bar Foundation, and Legal Assistance Corporation.

Judge McCann is also an avid fly fisherman and has said that in retirement, he aims ''to find a lot of rivers'' and spend quality time with his grandchildren, Conor and Mairead McCann.

After a long and illustrious career, dedicated to helping others and upholding the law, I cannot think of a better way for him to spend his second retirement. I am grateful to Judge McCann for all that he has done for Massachusetts families and communities.

CONNECTING FORT BEND COUNTY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Fort Bend County Public Transportation for being honored by the Mamie George Community Center.

Each year, the Mamie George Community Center honors organizations that demonstrate a strong commitment to improving Fort Bend County. The Department of Transportation received this award for its work with the Mamie George Community Center to develop a new system of transportation for seniors in the Richmond/Rosenberg area. Through their efforts, the organizations created new bus routes to give seniors the ability to live independently and stay active in their community.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Fort Bend County Public Transportation for this honor. Thank you for your commitment to seniors and to Fort Bend County.

KIDS TEACHING KIDS PROGRAM

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of the Kids Teaching Kids program within Medical City Children's Hospital which was created in 2010. Tonight, Kids Teaching Kids holds its 21 Day Challenge kickoff event, where eight Dallas area superintendents and community leaders will join together to teach kids healthy snacking habits.

During the 21 Day Challenge, culinary high school students work with a Medical City Children's Hospital registered dietician to learn nutrition basics. The students use that knowledge to make snack recipes for elementary school students to prepare for themselves. School districts in the Dallas area are getting involved in the program and encouraging their students to participate in the challenge.

The Kids Teaching Kids program has seen tangible results. Kids in the Dallas community are making healthier choices inside and outside of school. In 2014, 4,500 students signed up for the 21 Day Challenge and 900 completed the challenge. Before the challenge, 16.8% of kids said that they did not eat healthy snacks. After the challenge, 83.6% of those 16.8% said that they were eating more fruits and vegetables after the challenge.

The impact of this program in our community is visible. The Texas Restaurant Association and the Greater Dallas Restaurant Association actively support the program. School districts of Dallas, Richardson, Plano, Desoto, Rockwall, Irving, Carrollton, Lewisville, Frisco, Prosper, Allen, and Wylie currently participate in the program

Thank you to Medical City Children's Hospital for supporting this program and for allowing it to flourish. We need more innovative ideas of this nature in every metropolitan area in this country. With the support of our peers, we can work to change our habits to become a healthier community.

HONORING THE ACHIEVEMENTS OF JAMES B. ANGELL ELEMENTARY SCHOOL

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the achievements of James B. Angell Elementary School. For over eight decades, Angell Elementary school has benefited our community through its dedication to the education and development of Ann Arbor's youth. The U.S. Department of Education recognized this commitment by naming the school a 2015 National Blue Ribbon Award recipient

Founded in 1923, Angell Elementary is one of Ann Arbor's oldest elementary schools. The school's prominence in core curriculum classes such as Mathematics, English, and Science led students to perform in the top fifteen percent of all Michigan students on state administered assessments. This earned the school the title of ''Exemplary High Performing School'', and led the Michigan Department of Education to nominate the school for the National Blue Ribbon Award.

The school's mission is, ''To provide an uncommon education to the common man.'' Although Angell Elementary's core curriculum classes are exceptional, it is the enrichment programs offered by the school that allow it to thrive. The programs provide students with the unique opportunity to engage in their community. The school partners with the University of Michigan and takes students through the University's various history museums and scientific laboratories. The school takes great efforts to promote the arts as well, providing students with trips to art museums in Toledo and Detroit, as well locally in Ann Arbor.

Mr. Speaker, I ask my colleagues to join me today to honor the teachers, students and parents of James B. Angell Elementary school for their commitment to maintaining a standard of excellence that best prepares the leaders of our future.

ST. NICKS ALLIANCE ANNUAL AWARDS BENEFIT AND 40TH ANNIVERSARY CELEBRATION

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to recognize St. Nicks Alliance, a community based non-profit organization created in North Brooklyn during the fiscal crisis of New York City in the 1970s. This year it celebrates its 40th Anniversary on November 9, 2015.

St. Nicks Alliance, formerly known as the St. Nicholas Neighborhood Preservation Corp., emerged in 1975 at the height of a nationwide grassroots movement to preserve and improve urban neighborhoods in decline. In Williamsburg, Brooklyn, a group of concerned and determined residents and business owners, and Msgr. Walter J. Vetro, pastor of St. Nicholas R. C. Church, came together and initiated neighborhood-based efforts to improve the community's physical and economic conditions. This led to the incorporation of the organization.

As we know, some groups are formed to address an issue on their block; Msgr. Vetro and the volunteers mobilized to address the issues of the greater neighborhood. The organization launched an action plan that aimed to address a range of issues and concerns that included public safety, crime, and drugs; tenants' rights, abandoned housing, and housing discrimination; environmental and public health issues, such as toxic waste dumping, lead paint, and pollution; community reinvestment, redlining, and related matters; economic development, job training, and manufacturing closings; youth, education, and recreation; and municipal services delivery.

Today, forty years later, St. Nicks Alliance has created 1,700 units of affordable housing for low income families, seniors and persons with disabilities and manages more than 1,000 units of housing in North Brooklyn. It has helped residents secure federal assistance ranging from Section 8 housing assistance, weatherization programs, to new market tax credits, which serve as resources to fuel job creation and development. It has collaborated with the public and private sector to deliver comprehensive programming to the community. This includes summer and after-school enrichment services to 2,500 young people; elder care and adult health and fitness programs, onsite service coordination; homeownership training, small business development and business retention assistance. Its workforce development program, like the federally funded Environmental Response & Remediation Technician Program successfully trained, certified and placed local residents to work the field of environmental response and remediation services. It is recognized for the comprehensive ready to work service it delivers.

St. Nicks Alliance is a part of the fabric of the Williamsburg and Greenpoint community.

My district is enriched and indebted to them for their service to advance the betterment of the North Brooklyn community.

The outstanding accomplishments made by St. Nicks Alliance during its proud, 40-year history are a testament to the excellent work of so many dedicated professional employees and partners and leadership of Michael Rochford, Executive Director and Board Members, past and present.

Mr. Speaker, I would like to congratulate the St. Nicks Alliance in Brooklyn, New York for its commendable and exemplary work and wish it many years of continued success.

IN RECOGNITION OF THE SERVICE OF MS. KAY VARTANIAN

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to congratulate Ms. Kay Vartanian for her distinguished military career and service to the City of Dearborn.

Born on January 15th, 1914, Ms. Vartanian has been a lifelong resident of Dearborn. At the peak of World War II, she enlisted in the United States Army to actively support the war effort. She was stationed at Fort Ogelthorpe, Georgia until her honorable discharge on January 11, 1946. For her sacrifice and hard work for our country, Ms. Vartanian was awarded the Victory Medal, the American Theater WAAC Service Ribbon, and the Good Conduct Medal. After serving her country, she returned to Dearborn.

As Ms. Vartanian reaches the age of 101, she has become the oldest female veteran in our area. Throughout her life, especially through her faith community, Ms. Vartanian has dedicated her life to the service of others. Kay has been an important member of her church and is loved by all of her friends and neighbors. To many, she is considered part of their family.

Mr. Speaker, I ask my colleagues to join me today to honor Ms. Kay Vartanian on her distinguished military service and to celebrate her extraordinary work for the Dearborn community and the nation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, November 5, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 10

9:30 a.m.

Committee on Armed Services

To hold hearings to examine 30 years of Goldwater-Nichols reform.

SD–G50

NOVEMBER 17

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine past wildfire seasons to inform and improve future Federal wildland fire management strategies.

SD–366

NOVEMBER 19

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine the Well Control Rule and other regulations related to offshore oil and gas production.

SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7733–7774.

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 2234–2241, and S. Res. 305–306. **Pages S7770–71**

Measures Passed:

Waters of the United States: By 53 yeas to 44 nays (Vote No. 297), Senate passed S.J. Res. 22, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of ''waters of the United States'' under the Federal Water Pollution Control Act. **Pages S7735–43**

Congratulating the Kansas City Royals: Senate agreed to S. Res. 305, commending and congratulating the Kansas City Royals on their 2015 World Series victory. **Pages S7755–58**

National Apprenticeship Week: Senate agreed to S. Res. 306, designating the week beginning November 2, 2015, as ''National Apprenticeship Week''. **Page S7774**

Measures Considered:

Department of Defense Appropriations Act—Agreement: Senate continued consideration of the motion to proceed to consideration of H.R. 2685, making appropriations for the Department of Defense for the fiscal year ending September 30, 2016. **Pages S7743–55, S7758–69**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 9:30 a.m., on Thursday, November 5, 2015, with the time until 11 a.m. equally divided in the usual form; and that the vote on the motion to invoke cloture on the motion to proceed to consideration of the bill occur at 11 a.m. **Page S7774**

Measures Placed on the Calendar: **Page S7769**

Executive Communications: **Pages S7769–70**

Additional Cosponsors: **Pages S7771–72**

Statements on Introduced Bills/Resolutions: **Pages S7772–74**

Additional Statements: **Page S7769**

Authorities for Committees to Meet: **Page S7774**

Privileges of the Floor: **Page S7774**

Record Votes: One record vote was taken today. (Total—297) **Page S7743**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:11 p.m., until 9:30 a.m. on Thursday, November 5, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7774.)

Committee Meetings

(Committees not listed did not meet)

REFORMING THE FEDERAL BUDGET PROCESS

Committee on the Budget: Committee concluded a hearing to examine reforming the Federal budget process, focusing on a biennial approach to better budgeting, including S. 150, to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government, after receiving testimony from Senators Isakson and Carper; Representative David E. Price; former Speaker of the Ohio House of Representatives William G. Batchelder III, The Buckeye Institute, Columbus; and Robert L. Bixby, The Concord Coalition, Washington, D.C.

GAGGING HONEST REVIEWS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine how gagging honest reviews harms consumers and the economy, after receiving testimony from Adam Medros, TripAdvisor LLC, Newton, Massachusetts; Robert D. Atkinson, Information Technology and Innovation Foundation, and Ira Rheingold, National Association of Consumer Advocates, both of Washington, D.C.; Eric Goldman, Santa Clara University School of Law, Santa Clara, California; and Jennifer Kulas Palmer, Hillsboro, Oregon.

U.S. POLICY IN NORTH AFRICA

Committee on Foreign Relations: Committee concluded a hearing to examine United States policy in North Africa, after receiving testimony from Haim Malka, Center for Strategic and International Studies Middle East Program, and William Lawrence, The George Washington University Elliott School of International Affairs, both of Washington, D.C.

D.C. OPPORTUNITY SCHOLARSHIP PROGRAM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the value of education choices for low-income families, focusing on reauthorizing the D.C. Opportunity Scholarship Program, including S. 2171, to reauthorize the Scholarships for Opportunity and Results Act, after receiving testimony from Senators Feinstein and Scott; Representative Norton; Kevin P. Chavous, Serving Our Children, Mary E. Blaufuss, Archbishop Carroll High School, Gary Jones, and Linda Cruz Catalan, all of Washington, D.C.; and Christopher A. Lubienski, University of Illinois, Champaign.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Stuart F. Delery, of the District of Columbia, to be Associate Attorney General, Department of Justice, after the nominee, who was introduced by Senator Coons, testified and answered questions in his own behalf.

AMERICAN VICTIMS OF TERRORISM

Committee on the Judiciary: Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts concluded a hearing to examine the American victims of Iranian and Palestinian terrorism, after receiving testimony from Kenneth J. Stethem, Aegis Industries, LLC, Eric Lorber, and Ilan Goldenberg, both of the Center for a New American Security, Richard D. Heideman, Heideman Nudelman and Kalik, PC, and Robert Wexler, S. Daniel Abraham Center for Middle East Peace, all of Washington, D.C.; Kent A. Yalowitz, Arnold and Porter LLP, New York, New York; Orde F. Kittrie, Arizona State University, Tempe, on behalf of the Foundation for Defense of Democracies; and Daniel Miller, PediStat, Miami, Florida.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 3918–3931; and 3 resolutions, H. Res. 514–516 were introduced. **Pages H7741–42**

Additional Cosponsors: **Pages H7742–43**

Report Filed: A report was filed today as follows:

H.R. 2130, to provide legal certainty to property owners along the Red River in Texas, and for other purposes, with an amendment (H. Rept. 114–327). **Page H7741**

Speaker: Read a letter from the Speaker wherein he appointed Representative Thompson (PA) to act as Speaker pro tempore for today. **Page H7627**

Recess: The House recessed at 11:18 a.m. and reconvened at 12 noon. **Pages H7635–36**

Hire More Heroes Act of 2015: The House continued consideration of the Senate amendments to H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act. Consideration is expected to resume tomorrow, November 5th.

Pages H7650–52, H7653–54, H7654–H7740

Pursuant to the Rule, no further amendments to the pending amendment, consisting of the text of Rules Committee Print 114–32 shall be in order except those printed in part A of H. Rept. 114–326. Additionally, no further amendment to the Senate amendment, as amended by H. Res. 507, shall be in order except those printed in part B of H. Rept. 114–326. **Page H7654**

Agreed by unanimous consent that during further consideration of the Senate amendments to H.R. 22 pursuant to House Resolution 512, amendment number 23 printed in part B of H. Rept. 114–326 may be considered as though printed immediately following amendment number 9 in part B of H. Rept. 114–326. **Page H7653**

Agreed by unanimous consent that during further consideration of the Senate amendments to H.R. 22 pursuant to House Resolution 512, amendment number 1 printed in part B of H. Rept. 114–326 may be considered out of sequence. **Page H7654**

Agreed to:

Rothfus amendment (No. 40 printed in part B of H. Rept. 114–325) that was debated on November 3rd that seeks to exempt projects to reconstruct any road, highway, railway, bridge, or transit facility that is damaged by an emergency declared by the Governor of the State and concurred in by the Secretary of Homeland Security from any environmental reviews, approvals, licensing, and permit restrictions if reconstruction takes place in the same location and using the same design, capacity, and dimensions as before the emergency (agreed by unanimous consent to withdraw the earlier request for a recorded vote to the end that the amendment stand adopted in accordance with the previous voice vote thereon); **Page H7650**

Ryan (OH) amendment (No. 2 printed in part A of H. Rept. 114–326) that clarifies that alternative fuel vehicles are eligible for consideration and use of funding under the Congestion Mitigation and Air Quality (CMAQ) Improvement Program; **Pages H7654–55**

Hunter amendment (No. 3 printed in part A of H. Rept. 114–326) that facilitates the supply of domestic aggregate for nationally significant freight and highway projects; **Pages H7655–56**

Aguilar amendment (No. 9 printed in part A of H. Rept. 114–326) that requires that the DOT, in coordination with DOD, implement the recommendations of a report issued by the Federal Motor Carrier Safety Administration to help veterans transition into civilian jobs driving commercial motor vehicles, including by obtaining commercial driver's license; **Page H7661**

Larsen (WA) amendment (No. 13 printed in part A of H. Rept. 114–326), as modified, that creates an expedited process for smaller TIFIA loans backed by local revenue sources, so they can be accessible to smaller cities and counties; **Pages H7666–68**

Meng amendment (No. 16 printed in part A of H. Rept. 114–326) that requires the Secretary to revise the crash investigation data collection system to include additional data regarding child restraint systems whenever there are child occupants present in vehicle crashes; **Page H7668**

Edwards amendment (No. 18 printed in part A of H. Rept. 114–326) that gives USDOT authority to appoint and oversee the fed board members to the WMATA board, while currently GSA has this responsibility; **Pages H7669–71**

Ribble amendment (No. 23 printed in part A of H. Rept. 114–326) that increases the air-mile radius from 50 air-miles to 75 air-miles for the transportation of construction materials and equipment, to satisfy the 24–hour reset period under Hours of Service rules; gives states the ability to opt out of this increase if the distance is entirely included within the state's borders; **Page H7674**

Schweikert amendment (No. 25 printed in part A of H. Rept. 114–326) that creates a study and report on reducing the amount of vehicles in federal fleets and replacing necessary vehicles with ride-sharing services; **Page H7675**

Shuster en bloc amendment No. 1 consisting of the following amendments printed in part A of H. Rept. 114–326: Moore (No. 30) that express the Sense of Congress that the Department of Transportation should better enforce its existing rules requiring that small businesses owned by disadvantaged individuals are promptly paid for work satisfactorily completed on federally funded transportation projects; Graves (LA) (No. 31) that amends the nationally significant freight and highway projects program to allow consideration for projects to improve energy security and emergency evacuation routes; Polis (No. 32) that designates the freight corridor running along Route 70 from Denver, CO to Salt Lake City, UT as a 'Corridor of High Priority.'; Bonamici (No. 33) that designates the Oregon 99W Newberg-Dundee Bypass Route between Newberg, Oregon and Dayton, Oregon as a high priority corridor; Schrader (No. 34) that designates Interstate Route 205 in Oregon as a High Priority Corridor from its intersection with Interstate Route 5 to the Columbia River.; Duffy (No. 35) that increases weight limit restrictions for logging vehicles on a 13-mile stretch of I–39 to match Wisconsin state law; Crawford (No. 36) that permits specific vehicles to use a designated three miles on U.S. 63 in Arkansas during daylight hours only; the exemption would eliminate the need for construction of an access road and would qualify the entire road for the designation as Interstate 555; Fitzpatrick (No. 37) that clarifies that Section 130 funds may be used for projects that eliminate hazards posed by blocked grade crossings due to idling trains, such as when an ambulance or fire truck is blocked and unable to respond to an emergency; Lipinski (No. 38) that exempts certain welding trucks used in the pipeline industry from certain provisions under the FMCSR's; Nolan (No. 39) that permits "covered logging vehicles"—which are considered raw or unfinished forest products including logs, pulpwood, biomass, or wood chips—that have a gross vehicle weight of no more than 99,000 pounds and has no less than six-axles to operate on a 24.152 mile segment of I–35 in Minnesota; Cohen (No. 40) that allows local transit agencies that have demonstrated para-transit improvement activities the flexibility to use up to 20 percent of their Section 5307 funds; Veasey (No. 41) that clarifies that public demand response transit providers includes services for seniors and persons

with disabilities; Lipinski (No. 42) that restores local flexibility for New Starts projects; Adams (No. 43) that clarifies minority groups to be targeted in human resources outreach and brings bill text in line with existing law in Title V; Foxx (No. 44) that makes performance assessments for the Frontline Workforce Development Program consistent with assessments currently in place for similar programs authorized through the Workforce Innovation and Opportunity Act of 2014; Lawrence (No. 45) that requires the Interagency Coordination Council on Access and Mobility to submit a report to House Committee on Transportation and Infrastructure and Senate Committee on Commerce, Science, and Transportation containing the final recommendations of the Council; Moore (No. 46) that requires a GAO study on the impact of the changes made by MAP–21 to the Jobs Access and Reverse Commute (JARC) program on the ability of low-income individuals served by JARC to use public transportation to get to work; Rodney Davis (IL) (No. 47) that allows general freight to be carried by an automobile transporter on a backhaul trip only; Moore (No. 48) that allows current teen traffic safety funding to be used to support school-based driver's education classes that promote safe driving and help meet the state's graduated driving license requirements, including behind the wheel training; Crawford (No. 49) that permits two light- or medium-duty trailers to be towed together, only when empty and being delivered to a retailed for sale, subject to length and weight limitations, and operated by professional CDL drivers; Meng (No. 50) that requires that GAO perform a review of existing federal and state rules concerning school bus transportation of elementary and secondary school students, and issue recommendations on best practices for safe and reliable school bus transportation; Meng (No. 51) that adds ''consumer privacy protections'' to the list of items that GAO must review when issuing its public assessment of the ''organizational readiness of the Department to address autonomous vehicle technology challenges,'' as required by section 6024 of the Rules Committee Print; Napolitano (No. 52) that requires the Secretary to consult with States to determine whether there are safety hazards or concerns specific to a State that should be taken into account when developing the regulations called for in the bill for railroad carriers to maintain a comprehensive oil spill response plan; Moulton (No. 53) that requires the Government Accountability Office (GAO) to conduct a study on the implementation and efficacy of the European Train Control System to determine the feasibility of implementing such a system throughout the national rail network of the United States; Neugebauer (No. 54) that provides an exemption for various drivers in the agriculture industry with Class A CDLs so that they would no longer need to obtain a Hazardous Materials endorsement to transport more than 118 gallons of fuel, up to 1,000 gallons; Cummings (No. 55) that requires submission of a report on technologies for identifying track defects to improve rail safety; and Walz (No. 56) that initiates a study on the levels and structure of insurance for a railroad carrier transporting hazardous materials;

Pages H7680–84

Herrera Beutler amendment (No. 57 printed in part A of H. Rept. 114–326) that allows all 50 states to compete for bus and bus facility funding by eliminating the 7-state set aside High Density Bus program and transferring the funds to the nationwide Competitive Bus Grants, Sec. 5339(d);

Pages H7684–85

Denham amendment (No. 8 printed in part A of H. Rept. 114–326) that clarifies the intent of Congress and ensure the motor-carrier industry can operate under one standard when engaging in commerce; pre-empts a patchwork of 50 different state meal and rest break laws to provide certainty for regional carriers doing business (by a recorded vote of 248 ayes to 180 noes, Roll No. 601); **Pages H7659–61, H7688–89**

Young (IA) amendment (No. 10 printed in part B of H. Rept. 114–326) that requires the agency to disclose information on which a rule is based including data, studies, and cost-benefit analyses to the public (by a recorded vote of 236 ayes to 192 noes, Roll No. 617); **Pages H7710–12, H7718–19**

Pompeo amendment (No. 11 printed in part B of H. Rept. 114–326) that directs GAO to conduct a study on how much non-commercial jet fuel tax revenue, paid for by business and general aviation, is diverted to the Highway Trust Fund due to the ''fuel fraud'' tax; **Pages H7663–64, H7719**

Foster amendment (No. 12 printed in part B of H. Rept. 114–326) that requires the Department of Transportation to issue an annual report detailing how the funds authorized in the bill are divided among the states and the sources of those amounts; it would also require the Internal Revenue Service to submit an annual report to Congress detailing the tax burden of each state; **Pages H7719–20**

Williams amendment (No. 13 printed in part B of H. Rept. 114–326) that clarifies that only rental car companies whose primary business is renting vehicles are covered by the new requirements in the Senate passed version of H.R. 22; **Pages H7721–22**

Kinzinger (IL) amendment (No. 14 printed in part B of H. Rept. 114–326) that requires auto parts suppliers and manufacturers provide specific information to the Secretary to further compliance of Section 30120(j) of Title 49; information shall be made available on a public website and through databases

to ensure defective auto parts are removed from the supply chain and can be tracked if a recall is ordered; **Pages H7722–23**

Gosar amendment (No. 19 printed in part B of H. Rept. 114–326) that removes the Administrator of the EPA from list of individuals who shall designate a council member to the Federal Permitting Improvement council in Section 61002 FEDERAL PERMITTING IMPROVEMENT COUNCIL; **Page H7730**

Goodlatte amendment (No. 20 printed in part B of H. Rept. 114–326) that assigns to the Executive Director of the Federal Permitting Improvement Steering Council power to authorize extensions of permitting timetables, up to a total of fifty percent of the time specified in an original timetable, and to the Director of the Office of Management and Budget the power to authorize any additional extensions, subject to requirements to consult with the permit applicant and report to Congress, and makes further improvements to further streamline administrative procedures for permit review; **Pages H7730–32**

Hensarling amendment (No. 21 printed in part B of H. Rept. 114–326) that provides regulatory relief to facilitate capital formation and to ensure greater consumer access to financial products and services; the amendment also provides for certain reforms concerning mint operations and housing; and **Pages H7732–37**

Mullin amendment (No. 22 printed in part B of H. Rept. 114–326) that provides for a new a new title that includes sections to improve emergency preparedness for energy supply disruptions, resolve environmental and grid reliability conflicts, enhance critical electric infrastructure security, evaluate the feasibility of a strategic transformer reserve, and establish energy security valuation procedures. **Pages H7737–40**

Rejected:

Hartzler amendment (No. 37 printed in part B of H. Rept. 114–325), as modified, that was debated on November 3rd that sought to repeal the authority of the Secretary of Transportation to approve as part of the construction of federal-aid highways the costs of landscape and roadside development (by a recorded vote of 172 ayes to 255 noes, Roll No. 594); **Pages H7650–51**

Rooney (FL) amendment (No. 39 printed in part B of H. Rept. 114–325) that was debated on November 3rd that sought to provide that a state may allow, by special permit, the operation of vehicles with a gross vehicle weight of up to 95,000 pounds for the hauling of livestock; the cost of a special permit may not exceed $200 per year for a livestock trailer (by a recorded vote of 185 ayes to 240 noes, Roll No. 595); **Page H7651**

DeSaulnier amendment (No. 41 printed in part B of H. Rept. 114–325) that was debated on November 3rd that sought to establish a peer review group and a comprehensive risk management plan to prevent cost overruns and project delays for transportation mega projects exceeding $2,500,000,000 (by a recorded vote of 169 ayes to 257 noes, Roll No. 596); **Pages H7651–52**

Russell amendment (No. 17 printed in part A of H. Rept. 114–326) that sought to prohibit Federal financial assistance to establish, maintain, operate, or otherwise support a streetcar service; this prohibition does not apply to contracts entered into before the date of enactment of this Act; **Pages H7668–69**

Frankel (FL) amendment (No. 19 printed in part A of H. Rept. 114–326) that sought to require Compliance, Safety, Accountability (CSA) scores to remain publicly available during the National Research Council of the National Academies study of the CSA Program required by Section 5221, add a provision to the new broker-shipper hiring standard created by Section 5224 to prohibit the hiring of ''high risk carriers'' as defined by the Federal Motor Carrier Safety Administration, and remove several studies; **Page H7671**

Johnson (GA) amendment (No. 22 printed in part A of H. Rept. 114–326) that sought to strike language that sets up a new procedural criteria for an FMCSA study on minimum trucking insurance that is already underway; **Pages H7673–74**

Schweikert amendment (No. 24 printed in part A of H. Rept. 114–326) that sought to create a pilot program for reduction of department-owned vehicles and increase in use of ride-sharing services; **Pages H7674–75**

DeSaulnier amendment (No. 5 printed in part A of H. Rept. 114–326) that sought to direct states and metropolitan planning organizations to develop publicly available criteria to prioritize transportation projects (by a recorded vote of 171 ayes to 252 noes, Roll No. 599); **Pages H7656–57, H7687**

Hunter amendment (No. 7 printed in part A of H. Rept. 114–326) that sought to establish a program to permit the use of live plant materials for roadside maintenance (by a recorded vote of 173 ayes to 255 noes, Roll No. 600); **Pages H7658–59, H7687–88**

King (IA) amendment (No. 12 printed in part A of H. Rept. 114–326) that sought to require that none of the funds made available by this Act may be used to implement, administer, or enforce the prevailing rate wage requirements of the Davis-Bacon Act (by a recorded vote of 188 ayes to 238 noes, Roll No. 602); **Pages H7664–65, H7689**

Culberson amendment (No. 14 printed in part A of H. Rept. 114–326) that sought to require local transit entity to have a debt to equity ratio of at

least 1:1 in order to be eligible for federal funds (by a recorded vote of 116 ayes to 313 noes, Roll No. 603); **Pages H7689–90**

Lewis amendment (No. 21 printed in part A of H. Rept. 114–326) that sought to strike the graduated commercial drivers license program language in H.R. 3763 and replaces it with a study on the safety of intrastate teen truck drivers (by a recorded vote of 181 ayes to 248 noes, Roll No. 604); **Pages H7672–73, H7690–91**

Reichert amendment (No. 26 printed in part A of H. Rept. 114–326) that sought to request a GAO study on the economic impact of contract negotiations at ports on the west coast (by a recorded vote of 200 ayes to 228 noes, Roll No. 605); **Pages H7675–77, H7691**

DeSantis amendment (No. 29 printed in part A of H. Rept. 114–326) that sought to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes (by a recorded vote of 118 ayes to 310 noes, Roll No. 606); **Pages H7678–80, H7691–92**

Perry amendment (No. 1 printed in part B of H. Rept. 114–326) that sought to increase by 5 percent each fiscal year for four years, the percent amount that Ex/Im should make available for small businesses; if they do not comply, they are barred for issuing any loans over $100,000,000 (by a recorded vote of 121 ayes to 303 noes, Roll No. 607); **Pages H7692–94, H7712**

Mulvaney amendment (No. 2 printed in part B of H. Rept. 114–326) that sought to limit Export-Import Bank authorizations to countervailing purposes in order to meet competition from foreign export credit agencies (by a recorded vote of 117 ayes to 309 noes, Roll No. 608); **Pages H7694–95, H7712–13**

Mulvaney amendment (No. 3 printed in part B of H. Rept. 114–326) that sought to require Export-Import Bank authorizations above $10,000,000 to be contingent on at least two denials of similar assistance from the private sector; stipulates penalties for making false claims when seeking Bank assistance (by a recorded vote of 124 ayes to 302 noes, Roll No. 609); **Pages H7695–97,–H7713–14**

Mulvaney amendment (No. 4 printed in part B of H. Rept. 114–326) that sought to prohibit Export-Import Bank authorizations involving countries with a sovereign wealth fund of over $100,000,000,000 (by a recorded vote of 116 ayes to 308 noes, Roll No. 610); **Pages H7697–99, H7714**

Mulvaney amendment (No. 5 printed in part B of H. Rept. 114–326) that sought to reduce taxpayer exposure by removing Treasury guarantees for losses at the Export-Import Bank and removes borrowing authority from the Treasury (by a recorded vote of 117 ayes to 308 noes, Roll No. 611); **Pages H7699–H7701, H7714–15**

Mulvaney amendment (No. 6 printed in part B of H. Rept. 114–326) that sought to limit taxpayer exposure by ensuring diversification of industries and companies at the Export-Import Bank (by a recorded vote of 114 ayes to 314 noes, Roll No. 612); **Pages H7701–03, H7715–16**

Rothfus amendment (No. 7 printed in part B of H. Rept. 114–326) that sought to prohibit the Export Import Bank from providing a guarantee or extending credit to a foreign borrower in connection with the export of goods or services by a U.S. company unless the U.S. company guarantees repayment of, and pledges collateral in an amount sufficient to cover, a percentage of the amount provided by the Bank and makes that guarantee senior to any other obligation; the amendment provides an exception to this requirement for small businesses (by a recorded vote of 115 ayes to 313 noes, Roll No. 613); **Pages H7703–05, H7716**

Royce amendment (No. 8 printed in part B of H. Rept. 114–326) that sought to prohibits Export-Import Bank assistance to state-sponsors of terrorism; the current prohibition under the Foreign Assistance Act is subject to low threshold waivers by the President (by a recorded vote of 183 ayes to 244 noes, Roll No. 614); **Pages H7705–07, H7716–17**

Schweikert amendment (No. 9 printed in part B of H. Rept. 114–326) that sought to add Fair Value Accounting Principles to the EX–IM provision of the underlying bill (by a recorded vote of 133 ayes to 295 noes, Roll No. 615) and **Pages H7707–08, H7717–18**

Westmoreland amendment (No. 23 printed in part B of H. Rept. 114–326) that sought to allow companies to appeal their economic harm protest directly to the Export-Import Bank Board of Directors (by a recorded vote of 129 ayes to 298 noes, Roll No. 616). **Pages H7708–10, H7718**

Withdrawn:

Cartwright amendment (No. 6 printed in part A of H. Rept. 114–326) that was offered and subsequently withdrawn that would have struck Subtitle C, except section 1314; **Pages H7657–58**

Hahn amendment (No. 10 printed in part A of H. Rept. 114–326) that was offered and subsequently withdrawn that would have directed the Secretary to conduct a study of the feasibility, costs, and economic impact of burying power lines underground; **Pages H7661–63**

Heck (WA) amendment (No. 11 printed in part A of H. Rept. 114–326) that was offered and subsequently withdrawn that would have required the Department of Transportation to develop a set of best

practices for the installation and maintenance of green stormwater infrastructure, and assist any state requesting help to develop a stormwater management plan by providing guidance based on those best practices; **Pages H7663–64**

Duncan (TN) amendment (No. 20 printed in part A of H. Rept. 114–326), as modified, that was offered and subsequently withdrawn that would have clarified that motor carriers who have not been prioritized for a compliance review by FMCSA due to their safe operations are equal in safety status to ''satisfactory'' rated carriers; **Pages H7671–72**

Newhouse amendment (No. 27 printed in part A of H. Rept. 114–326) that was offered and subsequently withdrawn that would have directed the Bureau of Transportation Statistics (BTS) to establish a port performance statistics program, with quarterly reports to Congress; the program will collect basic uniform data on port performance and provide empirical visibility into how U.S. ports are operating, identify key congestion issues, and ensure U.S. commerce continues to flow efficiently; and **Pages H7677–78**

Chabot amendment (No. 58 printed in part A of H. Rept. 114–326) that was offered and subsequently withdrawn that would have amended certain sections of Title 49 of the US Code to increase penalties relating to commercial motor vehicle safety. **Pages H7685–86**

Proceedings Postponed:

Schakowsky amendment (No. 15 printed in part B of H. Rept. 114–326) that seeks to improve quality and quantity of information shared about vehicle safety issues among auto manufacturers, NHTSA, and consumers. Also improves the quality and quantity of safety information provided about used cars at point of sale; **Pages H7723–25**

Mullin amendment (No. 16 printed in part B of H. Rept. 114–326) that seeks to require the Administrator of the Environmental Protection Agency to ensure that in promulgating regulations any preference or incentive provided to electric vehicles is also provided to natural gas vehicles; **Pages H7725–26**

Burgess amendment (No. 17 printed in part B of H. Rept. 114–326) that seeks to modify and add certain provisions to the Senate amendments dealing with the National Highway Traffic Safety Administration; and **Pages H7726–28**

Neugebauer amendment (No. 18 printed in part B of H. Rept. 114–326) that seeks to execute a liquidation of the Federal Reserve surplus account and remittance of funds to the U.S. Treasury; the amendment also dissolves the existence of the surplus account on a go-forward basis; and the amendment ensures future net earnings of the Federal Reserve, in excess of dividend paid, are remitted to the U.S. Treasury. **Pages H7728–30**

The amendment consisting of the text of Rules Committee Print 114–32, as amended by H. Res. 507, was agreed to by voice vote.

H. Res. 512, the rule providing for further consideration of the Senate amendments to the bill (H.R. 22) was agreed to by a recorded vote of 243 ayes to 183 noes, Roll No. 598, after the previous question was ordered by a yea-and-nay vote of 241 yeas to 183 nays, Roll No. 597. **Pages H7614–50, H7652–53**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, November 5th. **Page H7741**

Select Investigative Panel of the Committee on Energy and Commerce—Appointment: The Chair announced the Speaker's appointment of the following Members to the Select Investigative Panel of the Committee on Energy and Commerce: Representatives Schakowsky, Nadler, DeGette, Speier, DelBene, and Watson Coleman. **Page H7741**

Quorum Calls—Votes: One yea-and-nay vote and twenty three recorded votes developed during the proceedings of today and appear on pages H7650–51, H7651, H7651–52, H7652–53, H7653, H7687, H7687–88, H7688–89, H7689, H7689–90, H7690–91, H7691, H7691–92, H7712, H7712–13, H7713–14, H7714, H7714–15, H7715–16, H7716, H7716–17, H7717–18, H7718, and H7718–19. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 1:05 a.m. on Thursday, November 5, 2015.

Committee Meetings

AMERICAN AGRICULTURE AND OUR NATIONAL SECURITY

Committee on Agriculture: Full Committee held a hearing entitled ''American Agriculture and Our National Security''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health concluded a markup on H.R. 2017, the ''Common Sense Nutrition Disclosure Act of 2015''; H.R. 2446, to amend title XIX of the Social Security Act to require the use of electronic visit verification for personal care services furnished under the Medicaid program; H.R. 2646, the ''Helping Families in Mental Health Crisis Act''; H.R. 3014, the ''Medical Controlled Substances Transportation Act''; H.R. 3537, the ''Synthetic Drug Control Act

of 2015''; H.R. 3716, the ''Ensuring Terminated Providers Are Removed from Medicaid and CHIP Act''; and H.R. 3821, the ''Medicaid Directory of Caregivers Act''. The following bills were forwarded to the full committee, without amendment: H.R. 3014 and H.R. 3537. The following bills were forwarded to the full committee, as amended: H.R. 2446, H.R. 3716, H.R. 3821, H.R. 2017, and H.R. 2646.

SEMI-ANNUAL TESTIMONY ON THE FEDERAL RESERVE'S SUPERVISION AND REGULATION OF THE FINANCIAL SYSTEM

Committee on Financial Services: Full Committee concluded a markup on H.R. 1309, the ''Systemic Risk Designation Improvement Act of 2015''; H.R. 1478, the ''Policyholder Protection Act of 2015''; H.R. 1550, the ''Financial Stability Oversight Council Improvement Act of 2015''; H.R. 2209, to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2A liquid assets, and for other purposes; H.R. 3340, the ''Financial Stability Oversight Council Reform Act''; H.R. 3557, the ''FSOC Transparency and Accountability Act''; H.R. 3738, the ''Office of Financial Research Accountability Act of 2015''; H.R. 3868, the ''Small Business Credit Availability Act''; H.R. 3857, to require the Board of Governors of the Federal Reserve System and the Financial Stability Oversight Council to carry out certain requirements under the Financial Stability Act of 2010 before making any new determination under section 113 of such Act, and for other purposes; and a hearing entitled ''Semi-Annual Testimony on the Federal Reserve's Supervision and Regulation of the Financial System''. The following bills were ordered reported, without amendment: H.R. 1309, H.R. 1550, H.R. 2209, H.R. 3557, H.R. 3738, and H.R. 3857. The following bills were ordered reported, as amended: H.R. 1478, H.R. 3340, and H.R. 3868. Testimony was heard from Janet L. Yellen, Chair, Board of Governors of the Federal Reserve System.

U.S. POLICY AFTER RUSSIA'S ESCALATION IN SYRIA

Committee on Foreign Affairs: Full Committee held a hearing entitled ''U.S. Policy after Russia's Escalation in Syria''. Testimony was heard from Anne W. Patterson, Assistant Secretary, Bureau of Near Eastern Affairs, Department of State; and Victoria Nuland, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State.

DEMANDING ACCOUNTABILITY: EVALUATING THE 2015 'TRAFFICKING IN PERSONS REPORT'

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled ''Demanding Accountability: Evaluating the 2015 'Trafficking in Persons Report' ''. Testimony was heard from Kari Johnstone, Principal Deputy Director, Office to Monitor and Combat Trafficking in Persons, Department of State; James Carouso, Acting Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; Alex Lee, Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and a public witness.

CHALLENGE TO EUROPE: THE GROWING REFUGEE CRISIS

Committee on Foreign Affairs: Subcommittee on Europe, Eurasia, and Emerging Threats held a hearing entitled ''Challenge to Europe: The Growing Refugee Crisis''. Testimony was heard from public witnesses.

A NEW APPROACH TO INCREASE TRADE AND SECURITY: AN EXAMINATION OF CBP'S PUBLIC PRIVATE PARTNERSHIPS

Committee on Homeland Security: Subcommittee on Border and Maritime Security held a hearing entitled ''A New Approach to Increase Trade and Security: An Examination of CBP's Public Private Partnerships''. Testimony was heard from John Wagner, Deputy Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection, Department of Homeland Security; Michael Gelber, Deputy Commissioner, Public Buildings Service, General Services Administration; David A. Garcia, County Administrator, Cameron County, Texas; and a public witness.

MISCELLANEOUS MEASURES

Committee on Homeland Security: Full Committee held a markup on H.R. 2285, the ''Prevent Trafficking in Cultural Property Act''; H.R. 2795, the ''First Responder Identification of Emergency Needs in Disaster Situations Act''; H.R. 3842, the ''Federal Law Enforcement Training Centers Reform and Improvement Act of 2015''; H.R. 3859, the ''HSA Technical Corrections Act''; H.R. 3875, the ''Department of Homeland Security CBRNE Defense Act of 2015''; H.R. 3869, the ''State and Local Cyber Protection Act of 2015''; and H.R. 3878, the ''Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2015''. The following bills were ordered reported, without amendment: H.R. 3859

and H.R. 3869. The following bills were ordered reported, as amended: H.R. 2285, H.R. 2795, H.R. 3842, H.R. 3875, and H.R. 3878.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Federal Lands held a hearing on H.R. 1815, the "Eastern Nevada Implementation Improvement Act"; and H.R. 3342, to provide for the stability of title to certain lands in the State of Louisiana. Testimony was heard from Representatives Hardy and Fleming; and Steve Ellis, Deputy Director, Bureau of Land Management, Department of Interior.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 3843, the "Locatable Minerals Claim Location and Maintenance Fees Act of 2015; and H.R. 3844, the "Energy and Minerals Reclamation Foundation Establishment Act of 2015". Testimony was heard from Eric Cavazza, Director, Bureau of Abandoned Mine Reclamation, Pennsylvania Department of Environmental Protection; Geoffrey S. Plumlee, Research Geochemist Environment, Human Health, and Disasters, U.S. Geological Survey; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Indian, Insular and Alaska Native Affairs held a hearing on H.R. 2009, the "Pascua Yaqui Tribe Land Conveyance Act of 2015"; H.R. 2719, the "Tribal Coastal Resiliency Act"; and H.R. 3079, to take certain Federal land located in Tuolumne County, California, into trust for the benefit of the Tuolumne Band of Me-Wuk Indians, and for other purposes. Testimony was heard from Representative Kilmer; Michael Smith, Deputy Director, Field Operations, Bureau of Indian Affairs, Department of Interior; Glenn Casamassa, Associate Deputy Chief, National Forest Systems, U.S. Forest Service, Department of Agriculture; and public witnesses.

THE FEDERAL INFORMATION TECHNOLOGY REFORM ACT'S (FITARA) ROLE IN REDUCING IT ACQUISITION RISK, PART II—MEASURING AGENCIES' FITARA IMPLEMENTATION

Committee on Oversight and Government Reform: Subcommittee on Information Technology; and Subcommittee on Government Operations, held a joint hearing entitled "The Federal Information Technology Reform Act's (FITARA) Role in Reducing IT Acquisition Risk, Part II—Measuring Agencies' FITARA Implementation". Testimony was heard from Tony Scott, U.S. Chief Information Officer, Office of E-Government and Information Technology, Office of Management and Budget; Sonny Bhagowalia, Chief Information Officer, Department of the Treasury; Richard McKinney, Chief Information Officer, Department of Transportation; David Shive, Chief Information Officer, General Services Administration; and David A. Powner, Director, IT Management Issues, Government Accountability Office.

AN EXAMINATION OF CONTINUED CHALLENGES IN VA'S VETS FIRST VERIFICATION PROCESS

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations; and Subcommittee on Contracting and Workforce of the House Committee on Small Business, held a joint hearing entitled "An Examination of Continued Challenges in VA's Vets First Verification Process". Testimony was heard from William Shear, Director, Financial Markets and Community Investment, Government Accountability Office; Quentin Aucoin, Assistant Inspector General for Investigations, Department of Veterans Affairs; and Tom Leney, Executive Director, Office of Small and Disadvantaged Business Utilization, Department of Veterans Affairs.

PRESIDENTIAL AUTHORITY TO WAIVE ANTI–TERROR PROVISIONS IN THE TAX CODE WITH RESPECT TO IRAN

Committee on Ways and Means: Subcommittee on Oversight held a hearing on presidential authority to waive anti-terror provisions in the tax code with respect to Iran. Testimony was heard from public witnesses.

Joint Meetings

SOCIAL SECURITY DISABILITY INSURANCE PROGRAM

Joint Economic Committee: Committee concluded a hearing to examine ensuring success for the Social Security Disability Insurance program and its beneficiaries, after receiving testimony from Patrick P. O'Carroll, Jr., Inspector General, Social Security Administration; Mark G. Duggan, Stanford University Institute for Economic Policy Research, Stanford, California; and Rebecca D. Vallas, Center for American Progress, Washington, D.C.

COMMITTEE MEETINGS FOR THURSDAY, NOVEMBER 5, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine wildfire, focusing on stakeholder perspectives on budgetary impacts and threats to natural resources on Federal, state, and private lands, 10 a.m., SR–328A.

Committee on Armed Services: to hold hearings to examine revisiting the roles and missions of the armed forces, 9:30 a.m., SD–G50.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine agency progress in retrospective review of existing regulations, 9:30 a.m., SD–342.

Committee on the Judiciary: business meeting to consider the nominations of Rebecca Goodgame Ebinger, to be United States District Judge for the Southern District of Iowa, Leonard Terry Strand, of South Dakota, to be United States District Judge for the Northern District of Iowa, Julien Xavier Neals, to be United States District Judge for the District of New Jersey, Gary Richard Brown, to be United States District Judge for the Eastern District of New York, and Mark A. Young, to be United States District Judge for the Central District of California, 10 a.m., S–216, Capitol.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled ''Examining the Costly Failures of Obamacare's CO–OP Insurance Loans'', 10 a.m., 2322 Rayburn.

Committee on Foreign Affairs, Full Committee, markup on H.R. 2241, the ''Global Health Innovation Act of 2015''; H.R. 2845, the ''African Growth and Opportunity Act Enhancement Act of 2015''; H.R. 3750, the ''First Responders Passport Act of 2015''; and H.R. 3766, the ''Foreign Aid Transparency and Accountability Act of 2015'', 10 a.m., 2172 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on National Security, hearing entitled ''Iran's Power Projection Capability'', 9 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing entitled ''Examining EPA's Predetermined Efforts to Block the Pebble Mine'', 10 a.m., 2318 Rayburn.

Joint Meetings

Commission on Security and Cooperation in Europe: to receive a briefing on the rule of law and civil society in Azerbaijan, 2 p.m., 311, Cannon Building.

Next Meeting of the SENATE

9:30 a.m., Thursday, November 5

Senate Chamber

Program for Thursday: Senate will continue consideration of the motion to proceed to consideration of H.R. 2685, Department of Defense Appropriations Act, with a vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 11 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, November 5

House Chamber

Program for Thursday: Complete consideration of Senate amendments to H.R. 22—Hire More Heroes Act of 2015.

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