

crashed in Buffalo, New York, 7 years ago tomorrow.

This plane crashed inside of the runway on an icy February night. We learned that the pilot and the copilot had never been trained at all on flying into an icy situation. The young woman who was the copilot had flown in the night before from Seattle. She was paid so little—around \$13,000 a year—that she could not afford a motel room to sleep, so she slept on the floor somewhere. On the black box, you could hear them yawning before the crash.

In that plane crash were two of the best musicians in the United States, a woman who knew more about Rwanda and its problems than anybody else, and one of the most extraordinary anthropologists in the world. They died because these pilots had no idea of how to fly in those conditions.

Colgan Air, their owner, was trying to take some responsibility.

We have worked with the families of the people who died on that plane. They have selflessly come down here for 7 years, and we have finally gotten some regulation through the FAA of how much training they had to have, that at least the pilot or the copilot had to have some hours of flying time behind them that would be of some use.

Now, we are facing an FAA bill here today, where they are trying to undo those safety regulations. It absolutely applies to every last one of us in the United States.

For goodness sake, I implore my colleagues not to let it happen, that those regulations would be weakened and, once more, we would be flying people who are living on subsistence wages, unable to really cope with the weather or the elements.

We deserve better than that in this century.

#### PRESIDENT'S BUDGET

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

Mr. LUCAS. Mr. Speaker, the President submitted his final annual budget proposal to Congress this week. It was my hope that the President would have used this opportunity to progress an agenda that reflects our Nation's needs. Unfortunately, it seems to be exactly the opposite.

The President's proposed budget is supposed to serve as a blueprint for our Nation's prosperity. Sadly, his plan offers an unrealistic way forward. Currently, our national debt stands at over \$19 trillion. If the President got his way, that number would rise to \$27 trillion over the next decade.

The President has chosen to ignore the facts. If Americans have to balance their checkbooks and live within their means, so should the Federal Government. To pay for his spending, the President hopes to raise taxes and institute a \$10 per barrel levy on an already anemic oil industry.

I believe my constituents deserve better than that from the President, and we should work together to ensure certainty, not uncertainty, in today's challenging environment.

#### IMMIGRATION REFORM

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

Mr. POLIS. Mr. Speaker, we are a Nation of immigrants and a Nation of laws. When those two come into conflict, the responsibility for addressing it belongs in this body, the United States Congress.

We are a compassionate people. We need to unite families. We need to provide a pathway to citizenship. We need to make sure that companies in America have access to the talented employee pool that they need.

We are also a Nation of laws. We need to get serious about our border security. We need employment verification and real penalties for those who violate our laws.

It is past time for Congress to act on immigration reform. I renew my call for Congress to restore the rule of law and recognize that our Nation of immigrants must also be a moral Nation, leading the way for the next great generation of Americans to take their place alongside us as leaders of American industry, civil society, and even in this very body itself.

#### CRISIS AT OUR OWN BORDER

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

Mr. BURGESS. Mr. Speaker, this past weekend, along with other members of the Border Caucus, I traveled to the lower Rio Grande Valley sector of the United States border.

Mr. Speaker, the flood of illegal immigrants across the southern border has proven to be a mounting American crisis, greatly impacting Texas families.

You simply cannot understand the magnitude of the problem in the lower Rio Grande Valley unless you see it for yourself. It is impossible to understand the characteristics of this ever-changing region and why it is so difficult to manage. That is why I make regular visits to the border.

President Obama missed an opportunity when he refused Governor Perry's request to come to the border while he was in Texas in July 2014. I would renew that call for our executive to come to the border.

The United States, as a Nation, has a sovereign right and responsibility to define and defend its borders. In order for this problem to be improved, the executive must travel to the border and have the will to make this a priority and get it done.

#### TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH

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

Mr. DOLD. Mr. Speaker, I rise today to recognize February as Teen Dating Violence Awareness and Prevention Month.

One in three teens will experience some form of abuse in a dating relationship. As a father of three young children, I recognize that this is not a partisan problem, but rather a violation of basic human rights that demands immediate action. I believe it is our collective responsibility as mentors, leaders, and even parents, to find a way to protect our youth and to prevent them from dating abuse.

While current Federal law prohibits someone from purchasing a handgun if they are convicted of abusing someone they live with, unfortunately, victims who have been abused by a current or former dating partner are not protected.

Abuse of a dating partner is unacceptable as domestic abuse, plain and simple, which is why I introduced the Zero Tolerance for Domestic Abusers Act with my good friend, Congresswoman DEBBIE DINGELL. I encourage all of my colleagues to support this important bipartisan effort.

In the meantime, we can make a difference by encouraging our schools, community-based organizations, parents, and teens to come together to combat teen dating violence.

#### APPOINTMENT OF MEMBERS TO JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). The Chair announces the Speaker's appointment, pursuant to Senate Concurrent Resolution 28, 114th Congress, and the order of the House of January 6, 2015, of the following Members on the part of the House to the Joint Congressional Committee on Inaugural Ceremonies:

Mr. RYAN, Wisconsin  
Mr. MCCARTHY, California  
Ms. PELOSI, California

#### PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that it be in order at any time through the legislative day of February 12, 2016, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the bill (H.R. 757) to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

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

There was no objection.

**PROVIDING FOR CONSIDERATION OF H.R. 2017, COMMON SENSE NUTRITION DISCLOSURE ACT OF 2015, AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM FEBRUARY 15, 2016, THROUGH FEBRUARY 22, 2016**

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 611 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 611

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2017) to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. On any legislative day during the period from February 15, 2016, through February 22, 2016—

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

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, arti-

cle I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

SEC. 4. The Committee on the Judiciary may, at any time before 5 p.m. on Tuesday, February 16, 2016, file a report to accompany H.R. 3624.

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

□ 1230

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

GENERAL LEAVE

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

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

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 611 provides for a rule to consider a commonsense, bipartisan piece of legislation that will fix a problem that was wholly created by the intransigence of the bureaucrats at the Food and Drug Administration. This important bill amends the difficultly drafted Affordable Care Act, which rigidly mandated that food establishments provide physical notices of the nutritional value of every food item that they offer.

Perhaps this is a noble endeavor in theory, until one considers that the inflexible rule put out by the Food and Drug Administration makes no allowances for establishments that allow for multiple variations of their offerings. This could mean that a pizza chain, for example, would have to provide calorie counts for every possible different type of pizza combination that one could order, a mandate that would result in a pizza place needing to literally wallpaper their establishment, and perhaps the establishment next door, with all of the different scenarios for personalized pizzas.

The rule provides for 1 hour of debate. It is equally divided between the majority and the minority of the Energy and Commerce Committee. The Committee on Rules made in order every amendment that was submitted to the committee to be considered, two Democratic amendments and one bipartisan offering. Finally, the rule affords the minority the customary motion to recommit, a final opportunity to amend the bill should the minority choose to exercise this option.

Mr. Speaker, the issue before us today in the underlying bill is not about whether restaurants should provide their customers with nutritional

information; the issue is fundamentally one of the proper role of government. Since President Obama moved into the White House and NANCY PELOSI and HARRY REID served as his stewards in the 110th Congress, the Democrats have drummed a steady beat toward expanding the role of government in every direction in our lives.

H.R. 2017, the Common Sense Nutrition Disclosure Act, is bipartisan legislation introduced by Representatives CATHY MCMORRIS RODGERS and LORETTA SANCHEZ to fix the Food and Drug Administration's unworkable implementation of the menu labeling law. The Food and Drug Administration's regulatory framework is not just cumbersome for the food industry, it also impedes a business' ability to provide meaningful information that customers can use to make nutrition decisions.

The Common Sense Nutrition Disclosure Act is critical to avoid harming consumer choice, harming jobs, and harming small business. The Federal Government should not presume to know how restaurants, supermarkets, cafes, convenience stores, and entertainment venues can best serve their customers and run their businesses, yet the Food and Drug Administration has done exactly that.

For years now, many restaurants and retail food establishments have disclosed caloric information to their customers. This industry expertise should have been instructive to the Food and Drug Administration as it developed the Federal regulation. In fact, the Food and Drug Administration took 3½ years before finalizing a rule that virtually ignores serious concerns raised about the harm of an overly prescriptive, one-size-fits-all approach.

Not only did the FDA disregard the input of consumers and industry experts, it also extended the scope of the regulation far beyond what anyone could have imagined when they voted for this bill in March of 2010. If the Food and Drug Administration is allowed to implement the rule as it stands, the Office of Management and Budget has determined it will require more than 14 million—14 million—compliance hours, in addition to costs exceeding \$1 billion. Even the Food and Drug Administration acknowledged that initial compliance will cost almost \$400 million, with recurring costs as high as \$150 million per year. Likely, the actual costs for the private sector will far exceed those estimates.

Perhaps even more concerning than the costs, food service establishments. Food service establishments are going to face Federal criminal penalties for even the slightest failure to comply with the framework envisioned by the Food and Drug Administration.

Under section 403(a)(1) of the Food, Drug and Cosmetic Act, food labeling must be truthful and not misleading. Food labeling that does not meet the Food and Drug Administration's standard for "truthful and nonmisleading"